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DIVORCE AND REMARRIAGE IN 1 CORINTHIANS 7:10-16:
AN EVALUATION OF THE INTERPRETATION OF WRITERS
OF THE LUTHERAN CHURCH-MISSOURI SYNOD

A Thesis Presented to the Faculty
of Concordia Seminary, St. Louis,
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requirements for the degree of
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by
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INTRODUCTION

At the conclusion of his 1932-33 series of articles on "Divorce and Malicious Desertion," Theodore F. K. Laetsch, professor at Concordia Seminary, St. Louis, Missouri (1927-47), observed, "If divorce becomes prevalent in our Lutheran Church, if the divine institution of marriage is undermined by our practice, then this is due, not to an observance of the principles outlined above, but to a perversion, a deliberate setting aside of these principles."¹ On the assumption that "God would not establish policy that would undermine holy wedlock, His own institution," the principles given by God in the Scriptures regarding divorce and remarriage are, simply stated: ". . . while according to God's institution marriage is inseparable so long as both spouses live, Matt. 19, 5ff., that same God has permitted the party whose spouse has committed fornication to sever the marriage bond, and the spouse who has been maliciously deserted to consider himself as under no obligation to the deserter."² Such severance and suspension of obligation may be extended to include for the injured party the right to remarry.³ Laetsch regarded as unfounded the charge that adherence to these principles would "open wide the door to

¹Theodore F. K. Laetsch, "Malicious Desertion," Concordia Theological Monthly 4 (March 1933):204.

²Ibid.

³Theodore F. K. Laetsch, "Divorce and Malicious Desertion," Concordia Theological Monthly 3 (December 1932):855. Cf. Laetsch, "Malicious Desertion," pp. 198-99.

divorce and eventually undermine the sanctity of wedlock."⁴

This traditional view,⁵ articulated above by Laetsch, that fornication and malicious desertion constitute genuine exceptions to the rule that marriage is to remain indissoluble has been questioned in recent years. On the one hand, some interpreters of the divorce and remarriage texts have rejected the notion that any "exceptions" to the principle of indissolubility of marriage are part of the genuine teaching of Jesus and therefore have a prescriptive force for the church today.⁶ Moreover, some writers feel that to give such declensions from the Creator's primal will for marriage as set forth in the Biblical account of creation the status of moral directives or of a universal code

⁴Laetsch, "Malicious Desertion," p. 204.

⁵By the expression "traditional view" in this thesis we mean the position generally held by Lutheran theologians. As we shall note in the first chapter to follow, the view set forth by Laetsch represents the position not only of writers of The Lutheran Church-Missouri Synod, but that which we find taught by Luther and the theologians of Lutheran Orthodoxy. (See note 1 of Chapter I)

⁶Among Lutheran writers, G. H. Hoffman, a pastor in the American Lutheran Church, argued in 1957 ("Reflections on Divorce and Remarriage," Lutheran Quarterly 9 [May 1957]:132) that "there are no circumstances in which divorce is justifiable" because Christ uttered a categorical rejection of divorce: "To suggest that Jesus taught that divorce is justifiable because of adultery is to misrepresent the spirit of the passage. Permission of divorce for this or any other reason is not a genuine part of Jesus' teaching, although it must be admitted that only with this permission does the saying conceivably become a part of the customs and legal structure of any possible human society."

Outside of Lutheran circles and following the position outlined by Günther Bornkamm ("Die Stellung des NT zur Ehescheidung," Evangelische Theologie 7 [1947/48]:283-84), Richard N. Soulen has rejected both the exceptive clauses of Matthew and Paul's teaching in 1 Cor. 7:12-16 as "historically conditioned adaptations," not authentic, which were later absolutized but which have no universal validity as ethical norms for the church today. ("Marriage and Divorce - Problem in New Testament Interpretation," Interpretation 23 [October 1969]:439-50). Soulen deduces from this that in keeping with the early church's freedom to adapt the intention of God to differing historical situations, we, too, today "can learn from them not to proffer arbitrary and historically conditioned decisions as revealed eternal law, such as permitting separation

for pastoral care and church discipline is to introduce an ethic of legalism and revert to an onerous casuistry of the past.⁷ On the other hand, for some interpreters who have not surrendered the universal applicability of normative ethical principles which can legitimately be derived from the Scriptures as God's Word, the exegetical substantiation of what has been understood as the traditional "grounds" for divorce, particularly desertion, is by no means certain. The passages dealing with divorce and remarriage in the New Testament "need to be studied anew by our Lutheran Church," H. G. Coiner, professor at Concordia Seminary, St. Louis, wrote in 1963.⁸

The purpose of this thesis is to re-examine 1 Cor. 7:10-16, on the basis of which desertio malitiosa has been regarded as a second "ground" for divorce, with the liberty of remarriage. Our intention is to address the question at the level suggested by the second of the above two approaches to the interpretation of the divorce and remarriage texts, and to inquire whether in fact the traditional position regarding malicious desertion as articulated by theologians of The Lutheran Church-Missouri Synod (LCMS) can be substantiated by a valid exegesis of the

but not divorce, or divorce and not remarriage" (p. 450).

Reviewing Bornkamm's article (in which Bornkamm calls for ethical freedom for the church today to apply the absolute teachings of Jesus on divorce), J. T. Mueller, professor at Concordia Seminary, St. Louis, warned that this position denies the doctrine of Biblical inspiration and places the church above Scripture. ("The New Testament and Divorce," in Theological Observer, Concordia Theological Monthly 21 [January 1950]: 66-67).

⁷Cf. Chapter I, note 43.

⁸Harry Coiner, "Divorce and Remarriage: Toward Pastoral Practice," Concordia Theological Monthly 24 (September 1963):541.

text.⁹ With the Biblical text as our norm, we must be open to the question, Do the traditional formulations regarding divorce and remarriage need to be revised in any way?

In carrying out this inquiry, we recognize that the pastoral problems involved in this area are more often than not extremely complex and do not lend themselves to clear-cut determinations in the proper application of Law and Gospel. However, the opposite difficulty is that pastoral practice - whether excessively rigid or concessively permissive - cannot determine the Biblical principles which should inform decisions.

Our evaluation of the exegesis of 1 Cor. 7:10-16 in LCMS writings cannot be carried out unless we deal with two critical issues raised by this text. First, we must look at what Paul means by his prohibition of divorce in verses 10 and 11 and at the way in which he addresses the question of the indissolubility of marriage. Second, we must ask whether in 1 Cor. 7:12-16, and especially in 7:15, Paul allows for the breaking of the marital bond itself and thus the freedom for remarriage. These two sides of our inquiry are not unrelated, for the fundamental question is whether the apostle's affirmation regarding the indissolubility of marriage in verses 10-11 applies to what he states in verses 12-16 in such a way as to preclude any possibility of remarriage during the lifetime of the deserting spouse following the dissolution of a marriage.¹⁰ We would

⁹Harry Coiner, "Those 'Divorce and Remarriage' Passages (Matt. 5:32; 19:9; 1 Cor. 7:10-16)," Concordia Theological Monthly 39 (June 1968):383.

¹⁰Coiner (September 1963, p. 548) put the issue this way: "Does valid exegesis of 1 Cor. 7:15 give us a basis for a legitimate ground for divorce? The passage does not explicitly indicate sanction of finalizing the separation by means of legal divorce but only toleration of the separation effected by the unbelieving partner. In v. 11 St. Paul specifically states that the separated spouse should not contract another marriage."

add here that, though not decisive for reaching a determination of what 1 Cor. 7:12-16 means for the matter of desertion, 1 Cor. 7:14 and 16 are an integral part of Paul's teaching and must be given careful attention.

We shall proceed in the following manner. In Chapter I we shall present an overview of the writings of LCMS theologians regarding the interpretation of 1 Cor. 7:10-16, summarizing the principal elements of their application of this text to the subject of malicious desertion. Our intention is to define as precisely as possible their formulation of the Biblical principles regarding desertion, and with this background to present the call for a renewed consideration of the pericope. In Chapter II we shall introduce our examination of the pericope with a look at the occasion and purpose of Paul's treatment of marriage and divorce in 1 Corinthians 7. The following two Chapters III and IV will treat separately 1 Cor. 7:10-11 and 7:12-16, divisions which Paul himself differentiates. In the final Chapter V we shall attempt to summarize and evaluate the traditional LCMS exegesis of the text, with concluding suggestions on principles for pastoral practice.

CHAPTER I

1 CORINTHIANS 7:10-16: INTERPRETATION OF WRITERS OF THE LUTHERAN CHURCH-MISSOURI SYNOD

The purpose of this chapter is to summarize key elements of the interpretation which fathers of The Lutheran Church-Missouri Synod have given to 1 Cor. 7:10-16, which has served as the basis for commentary on the nature of "malicious desertion" as a severance of the marital bond. While the precise formulation of the principles regarding malicious desertion derived from this pericope varies somewhat in the literature, the classic summary has been given by C. F. W. Walther. Following a long tradition that began with Luther and continued in the writings of the theologians of Lutheran Orthodoxy,¹ Walther's formulation of what

¹Arthur Carl Piepkorn, "The Theologians of Lutheran Orthodoxy on Polygamy, Celibacy, and Divorce," Concordia Theological Monthly 25 (April 1954):276-83. Also, "The Doctrine of Marriage in the Theologians of Lutheran Orthodoxy," Concordia Theological Monthly 24 (July 1953):464-89. On Luther, see Paul Althaus, The Ethics of Martin Luther, trans. Robert C. Schultz (Philadelphia: Fortress Press, 1965), pp. 97-99, William H. Lazareth, Luther on the Christian Home (Philadelphia: Muhlenberg Press, 1960), pp. 196-97, and Klaus Suppan, Die Ehelehre Martin Luthers (Salzburg: Universitätsverlag Anton Pustet, 1971), pp. 99-125. Harry G. Coiner ("Those 'Divorce and Remarriage Passages,'" pp. 373-75) states that the position of theologians of the LCMS such as C. F. W. Walther, J. H. C. Fritz, Theodore Engelder, William Arndt, Theodore Graebner, and Frederick Mayer is consistent with that held by the majority of the early church fathers and the theologians of Lutheran orthodoxy.

Interestingly, Coiner neglects to point out Luther's position. For example, in his 1522 treatise on "The Estate of Marriage," Luther spoke of three (actually four) "grounds" for divorce: 1) Unfitness of the husband (i.e., impotence, which Luther considered among the three legitimate impediments in canon law, the others being ignorance of a previously

constitutes "grounds" for divorce became normative in the LCMS² and can serve, therefore, as our point of departure in examining how 1 Cor. 7:10-16 was interpreted with reference to the question of divorce and remarriage. We have reserved comment on the interpretation of 1 Cor. 7:14 and 16 in LCMS writings until we treat our pericope in the exegetical section in chapters three and four of this thesis.

C. F. W. Walther

C. F. W. Walther wrote in his Americanisch-Lutherische Pastoraltheologie that it is erroneous to speak of two grounds for divorce:

Es hat Theologen gegeben, welche aus 1 Kor. 7,15. erweisen zu können meinten, dass es zwei Scheidungsgründe gebe. Es ist dies jedoch ein Irrtum. Es gibt nach Christi klarem Ausspruch nur Einen rechtmässigen Scheidungsgrund, und der Apostel widerspricht dem keinesweges.³

contracted marriage, and a vow of chastity); 2) adultery; 3) refusal of conjugal duty or desertion; and 4) the case where a man and wife are incompatible in matters other than their conjugal duty (1 Cor. 7:10-11) and where divorce, but not remarriage, is permitted (Luther's Works, American Edition (LW), eds. Walter I. Brandt and Helmut T. Lehmann [St. Louis and Philadelphia, 1962], 45:30-35). Since impotence on the part of the husband meant no marriage had existed, and since the case of 1 Cor. 7:10-11 was another form of desertion in Luther's thinking, it was customary for him to speak generally of two grounds for divorce, namely, adultery and desertion (Cf. Lazareth, p. 197). With respect to the second "ground" for divorce, desertion, Luther said that this is that case where one of the parties "deprives and avoids the other, refusing to fulfill the conjugal duty or to live with the other person (LW, 45:33-34). St. Paul teaches this other cause for divorce in 1 Cor. 7:15, where he gives permission to put away the unbeliever who departs and to set the believing spouse free to marry again (LW, 36:106). The refusal to grant marital rights is contrary to marriage and dissolves the marriage. (Cf. LW, 45:33-34)

² John H. C. Fritz, Pastoral Theology, 2d ed., rev. (St. Louis: Concordia Publishing House, 1945), p. 167. Fritz' summary is essentially that of C. F. W. Walther, though Fritz adds three sentences to Walther's paragraph by way of explanation.

³ C. F. W. Walther, Americanisch-Lutherische Pastoraltheologie (St. Louis: Concordia Publishing House, 1906), p. 244. Translation: "There have been theologians who on the basis of 1 Cor. 7:15 have considered it possible to prove that there are two grounds for divorce.

In a later exposition of 1 Cor. 7:13 and 15, Walther noted that Paul seems to contradict Jesus, since Jesus allowed only one cause for divorce, namely, fornication, while Paul appears to be adding another - malicious desertion. However, this is only an apparent contradiction, for Paul does not stand in conflict with Jesus:

Denn Christus redet von dem Falle, in welchem ein Gatte die Scheidung von dem andern vollziehen könne; Paulus redet aber von dem Falle, in welchem ein Gatte die Scheidung erleidet, weil der andere Teil die Scheidung durch böslisches Verlassen schon selbst vollzogen hat, und Paulus sagt, dass dann die verlassene Person, weil sie ohne ihren Willen schon geschieden ist, auch die Freiheit habe, sich anderweitig zu verheiraten.⁴

While it is imprecise to speak of two grounds for divorce, therefore, it is correct to speak of two cases in which it is possible for a married person to remarry:

Wenn also manche Theologen sagen dass es zwei Ehescheidungsgründe gibt, nämlich Ehebruch und böslische Verlassung, so ist das nicht ganz genau geredet. Aber was jene Theologen damit sagen wollen, ist richtig: dass nämlich ein Verheirlichter sich in zwei Fällen anderweitig verheiraten könne, 1. wenn der andere Teil durch Hurerei Ehebruch begangen und 2. wenn der andere Teil hin böswillig für immer verlassen hat.⁵

This is, however, an error. There is according to Christ's clear utterance only one legal ground for divorce, and the apostle in no way contradicts this."

⁴C. F. W. Walther, "Etwas Über Ehescheidung," Der Lutheraner 39 (June 15, 1883):89. Translation: "For Christ speaks of the case in which a spouse could execute the divorce from the other; but Paul speaks of the case in which a spouse suffers the divorce, because the other party has himself already carried out the divorce through malicious desertion, and Paul says that then the divorced person, because she is already divorced without her will, also has the freedom to remarry."

⁵Ibid. Translation: "When, therefore, many theologians say that there are two grounds for divorce, namely, adultery and malicious desertion, that is not quite accurately expressed. But what such theologians want to say in this case is correct: namely, that a married person can remarry in two instances, 1. When the other party has committed adultery through fornication and 2. When the other party has maliciously deserted for good."

1 Cor. 7:15 should not be understood as describing a case where the believer is permitted to execute a divorce, but where he/she endures or suffers it at the initiative of another.⁶ Remarriage is not to be prohibited to one who has suffered the divorce:

In diesem Falle ist dem unschuldigen Theile (natürlich erst wenn derselbe die gesetzliche Scheidung erlangt hat) nach des heiligen Apostels Erklärung 1 Kor. 7, 15., als dem nicht mehr "gefangen", d. i. an sein voriges Gemahl nicht mehr gebundenen (οὐ δεδούλωται, vergl. Röm. 7, 1-3), die Wiederverheirathung seiner Zeit nicht zu verwehren.

The divorce which the innocent party suffers, on the basis of 1 Cor. 7:15, is intentional abandonment, with the refusal to return after concerned entreaty.⁸

It is important to note that Walther thought 1 Cor. 7:11a was also a reference to a form of desertion, though not definitive abandonment.⁹ He quoted Johann Gerhard approvingly to this end. However, 1 Cor. 7:11a, says Gerhard, does not give the deserting spouse a choice to remain unmarried or to be reconciled, but demands as uppermost that such a one be reconciled. Before God the marriage still is in existence.¹⁰

⁶Walther, Pastoraltheologie, p. 244. Walther carefully qualifies 1 Cor. 7:15 as describing a case "in welchem der unschuldige Theil die Scheidung seiner Ehe, nicht zwar vollziehen hat, aber erleidet . . ." (emphasis added).

⁷Ibid. Translation: "In this case the innocent party, of course after having secured a legal divorce, is, according to the declaration of the Apostle, 1 Cor. 7:15, no longer "under bondage," οὐ δεδούλωται, i.e., no longer bound to the former spouse (Cf. Rom. 7:1-3) and must not be denied remarriage at a proper time."

⁸Ibid. ". . . durch alle angewandten Mittel zur Rückkehr . . ."

⁹Walther, Pastoraltheologie, p. 251.

¹⁰C. F. W. Walther, "Etwas Über Ehescheidung," Der Lutheraner 39 (May 15, 1883):74-75.

As we reflect on Walther's understanding of what Paul teaches in 1 Cor. 7:10-16, and especially in 1 Cor. 7:15, regarding the dissolution of marriage, we notice, first of all, that Walther makes a distinction between divorce (die Scheidung) as the breaking or dissolution of marriage itself and legal divorce (die gesetzliche Scheidung).¹¹ The believer is not permitted to break or dissolve the marriage, except in the one case of fornication. However, when the marriage is broken (divorce) by another, a believer may obtain a legal divorce. Desertion cannot be viewed as a cause (Ursache) of divorce, but divorce itself.¹² Thus, Walther exercises care in emphasizing that desertion is not strictly speaking a grounds for divorce if one is to take the words of Paul seriously; it is divorce. With respect to the significance of the legal act, the legal divorce is a public acknowledgment of what has already occurred - though, of course, the legal divorce may be the form desertion takes on the part of the unbeliever.¹³

Secondly, Walther views desertion (die Scheidung) as the end of the marriage, and therefore introducing a new situation in which the freedom to remarry comes into existence. An appeal is made to Rom. 7:1-3 to explain οὐ δεδούλωται, implying that the marriage has ceased, even prior to any legal formality. That Walther regarded definitive desertion as the end of the esse of the marriage and therefore as granting freedom to the deserted one to remarry is confirmed by an October 1870 faculty opinion regarding divorce because of insanity. In this opinion, which is

¹¹Walther, "Etwas" (June 15, 1883):90.

¹²Fritz, p. 167.

¹³E. Eckhardt, Homiletisches Reallexikon, Vol. C - F (St. Louis: Success Printing Co., 1908), p. 625.

signed by Walther, E. E. Brauer, E. Preusz, and A. Crdmer, the conclusion is reached that:

Allein von einem Fall, wie der bösslichen Verlassung ist, kann hier nicht die Rede sein, da die Person, über welche Gott das furchtbare Creuz des Wahnsinns verhängt hat, damit keine Ehezereizung verschuldet hat, was schlechterdings zu dem Wesen einer die Ehe auflösenden und das Recht zu einer anderweitigen Eheschlieszung gebenden Desertion gehört.¹⁴

Thus, we see in this opinion, which discusses at some length the pastoral considerations surrounding the case placed before the faculty, that desertion is the dissolution of the marriage or a severance of its essence, granting the right to remarry. The conclusion is reached that insanity does not constitute such a dissolution.

Thirdly, we observe on the basis of Walther's treatment of 1 Cor. 7:10-16 that he regards 1 Cor. 7:11a as a reference to a case of separation. This may become desertion, but that is not the case under consideration in this verse. The apostle's mandate is that the separated parties reconcile.

Walther's Formulation and Other LCMS Theologians

We have summarized above three elements of Walther's explanation of what the apostle teaches concerning desertion and divorce and remarriage in 1 Cor. 7:10-16. Now we must look at what other LCMS writers have said in this connection as we seek to crystallize exactly what has been taught concerning malicious desertion and 1 Corinthians 7 in LCMS circles.

¹⁴C. F. W. Walther, E. A. Brauer, E. Preusz, and A. Crdmer, "Theologisches Bedenken über einen Ehefall," Lehre und Wehre 16 (November 1870):326. Translation: "We cannot regard this as a case of malicious desertion, and the person afflicted by God with the terrible cross of insanity has not become guilty of breaking the marriage bond, and this is absolutely necessary to constitute a desertion which severs the essence of marriage and gives the permission for a second marriage."

Consistent with Walther, LCMS writers have generally regarded the action contained in the *χωρίζεσθαι* of 1 Cor. 7:15 as the acceptance of the dismissal or de facto dissolution of the marriage by the deserter¹⁵ and have distinguished legal divorce from this acceptance. The legal divorce on the part of the unbeliever whose spouse has definitively deserted is not a severing of an existing marriage, but "merely the public declaration that the marriage has been severed by the departure of the unbeliever." Such a legal declaration must, of course, be secured before the deserted spouse remarries,¹⁶ but the apostle himself says nothing of the formalities observed before the civil court.¹⁷

Also consistent with Walther, LCMS writers have regarded 1 Cor. 7:15 as a reference to the dissolution of the conjugal bond and the termination of the marriage. August Graebner, in his section on "Anthropology - B. Domestic Sphere," interprets what the apostle teaches in 1 Cor. 7:15 in light of 1 Cor. 7:3-5, 10, as follows:

Again, as the willingness of both parties to yield their bodies to each other for lawful commerce is of the very essence of marriage, the persistent refusal of the debitum conjugale is not only the denial of a duty, but is tantamount to desertion from the bond of matrimony and, like persistent refusal of cohabitation or sharing the matrimonial home, terminates the status which the consent to be and live as husband and wife has superinduced (1 Cor. 7, 3-5, 10, 15.). And as marriage is the joint status of husband and wife,

¹⁵Theodore Laetsch, "Malicious Desertion," p. 198. Laetsch evidently takes *χωρίζω* in the broad sense apart from any legal act of divorcement, because the deserter is said to "have shown his aversion by departing, by deserting the spouse, or by expelling her from the home, making cohabitation no longer possible, severing the marital relations."

¹⁶Laetsch, "Malicious Desertion," p. 200. Cf. Walter A. Maier, For Better Not for Worse (St. Louis: Concordia Publishing House, 1939), pp. 436 and 442.

¹⁷P. E. Kretzmann, Popular Commentary of the Bible, New Testament, Volume II (St. Louis: Concordia Publishing House, 1922), p. 119.

there being no husband without a wife, and no wife without a husband, the deserted party, having, against his or her will, suffered the dissolution of the vinculum conjugale, is no longer husband or wife when the desertion has been made and declared complete, and is, therefore, again free to marry (1 Cor. 7:15).¹⁸

For Graebner, therefore, the essence of marriage is mutual consent to be and to remain to each other husband and wife. Sexual intercourse "is not marriage itself, but a matrimonial right and duty," presupposing the existence of the marriage. Thus, the principle "consensus, non concubitus facit matrimonium" must be applied in dealing with cases of desertion.

Where such consent is absent, "marriage does not exist."¹⁹ On the other hand, even if marriage has not been consummated, it does exist if "competent parties have once, by contemporaneous consensus de praesenti agreed to be husband and wife."²⁰ Withdrawal of such consent means one is robbed of a spouse and is free and innocent.²¹

By definition, therefore, desertion is the breaking of the marriage

¹⁸August Graebner, "Anthropology - B. Domestic Sphere," in series on Doctrinal Theology, Theological Quarterly 3 (October 1899):407.

¹⁹Ibid., p. 408. Cf. Edward W. A. Koehler, A Summary of Christian Doctrine (Oakland, CA: n.p., 1951), p. 290. After extensive discussion of the view in Christian tradition that consent constitutes the essence of marriage, the 1959 study of the LCMS' Family Life Committee of the Board for Parish Education, published under the title Engagement and Marriage (St. Louis:Concordia Publishing House, 1959), concluded: "The dogma that consent (not cohabitation) on the part of those contemplating marriage constitutes marriage is not taught in the Scriptures but can be traced back to Roman law . . . consent belongs to the Christian ideal of marriage, though not to its essence" (pp. 155-156). The recent 1981 report of the Commission on Theology and Church Relations of the LCMS on "Human Sexuality: A Theological Perspective," holds the opposite position, namely, that mutual consent does make marriage: "Marriage is the lifelong union of one man and one woman entered into by mutual consent" (p. 10).

²⁰Graebner, p. 407.

²¹Graebner, quoted in Laetsch article, p. 202.

tie,²² brings release from the obligations of the marriage covenant, and grants freedom to remarry.²³ Christians suffering the desertion of an unbelieving spouse may be told that they may consider themselves free, "just as though the other party had died."²⁴ 1 Cor. 7:15 does not refer to separation from bed and board.²⁵

In view of this definition, desertion, strictly speaking, is not to be spoken of as a "grounds" for divorce: "Desertion is itself divorce . . ."²⁶ This formulation of what Paul means by *χωριζω* in

²²Laetsch writes concerning desertion on the basis of 1 Cor. 7:15 as follows: "Only if all his efforts in this direction are fruitless or if the deserter has made such efforts practically impossible, e.g., by disappearing without leaving any clue as to his whereabouts, and sufficient time (varying of course in the individual case) has elapsed, may the believer regard the former spouse as a malicious deserter and his marriage to him as broken by the desertion" (Laetsch, "Malicious Desertion," p. 200).

²³John Th. Mueller, The Church at Corinth (St. Louis: Concordia Publishing House, 1928), p. 83.

²⁴Kretzmann, p. 119.

²⁵William F. Arndt, "Scriptural Grounds for Divorce," in "Theological Observer," Concordia Theological Monthly 1 (June 1930):452. Arndt, commenting on an article which appeared in the January 14, 1930, issue of the Lutheran Church Herald, states: "The Lutheran Church Herald, in an editorial note, says correctly, although rather weakly: 'The general opinion within the Lutheran Church has been that there are two reasons for divorce: adultery and malicious desertion, and in both cases the innocent party is permitted to remarry.' The writer of the article understands 1 Cor. 7, 15 to refer to mere separation and not to actual divorce, but the meaning of the Apostle plainly is that, if one party leaves the other, deserting him or her maliciously, then the marriage bond is entirely broken, and the innocent party is free to contract another marriage. That this is the meaning of the Apostle is clear, in the first place, from the words themselves, which emphatically state that, when the malicious desertion takes place, the condition of bondage for the innocent party ceases. This is borne out, too, by the language of Rom. 7:3, where a woman is said to be free from the law when her husband has died. In other words, the situation of a Christian husband or wife who has suffered malicious desertion with respect to marriage is the same as that of a widow or widower. The Lutheran position on this point, then, must be said to rest on solid, unambiguous Scripture-teaching."

²⁶Fritz, p. 167.

1 Cor. 7:15 has not been employed with as much precision as Walther might have wished. While it is said that desertion is a case in which "the innocent party may not enact, but will suffer, the dissolution of his or her marriage," nevertheless, malicious desertion is a "second exception" constituting a second ground for divorce.²⁷

We pause here to observe that Walther seems to have been concerned that in a discussion of 1 Cor. 7:10-16 one must distinguish the essence of marriage from its legal and institutional aspects. Applying this distinction to 1 Cor. 7:15, Walther taught that Paul here is not talking about the legal act or public declaration called "divorce" in the modern sense. The severance of marriage through the withdrawal of consent constitutes divorce.²⁸ For the most part, LCMS theologians have observed this distinction in their exegesis of 1 Corinthians 7.²⁹

Returning to the third element of Walther's teaching regarding 1 Cor. 7:10-16 and desertion, we comment on the treatment of 1 Cor. 7:10-11. We begin by quoting a portion of Theodore Laetsch's commentary on

²⁷Otto Sohn, "What God Hath Joined Together: III - 'Until Death Us Do Part,'" The Lutheran Witness 76 (September 27, 1957):416-17.

²⁸Cf. Walther's quote from Johann Gerhard, "Etwas," June 15, 1883, p. 89.

²⁹P. E. Kretzmann, "Propositions on Marriage and Divorce," Concordia Theological Monthly 3 (June 1932):432. Kretzmann's summary is very carefully written, so that the distinction articulated by Walther is observed: "There is only one other solution of the marriage bond possible, namely, when an unbelieving spouse becomes guilty of malicious desertion (or refuses the distinctive duty of wedlock) and the other spouse makes use of the right to have such dissolution publicly acknowledged. When an unchristian spouse deserts the other maliciously and will not by any means be persuaded to return, the innocent party is no longer under bondage to the deserter and may, after having obtained a legal divorce, marry again." Cf. Koehler, p. 291.

these verses. Laetsch states that the apostle Paul, without mentioning the one exception given by Jesus, agrees in toto with Jesus that there is to be no divorce among Christians:

The law for both spouses is identical, equally clear and unmistakable, the wife is not to depart from her husband, and the husband is not to put away his wife. This is the basic law laid down by Christ and accepted in toto by Paul: no divorce among Christians. The one exception granted by the Lord, Matt. 5,32, 19:9 (fornication) is not mentioned by the apostle, since fornication, and hence divorce because of fornication ought not to occur among Christians.³⁰

Laetsch appears to make no substantive distinction between $\chiωρὶς$ (to describe the wife's action in verse 10a) and $ἀφ' ἑνός$ (to denote the husband's action in verse 11b). In both cases the reference is to divorce. However, in the parenthetical comment made by Paul in 11a the reference is, Laetsch assumes, to separation, not divorce. Not legislating on a case that actually occurred in Corinth,³¹ Paul "merely assumes the possibility that for some reason, either in ignorance of the sinfulness of such a step or in a sudden fit of anger or in yielding to her impatience, a wife has run away from her husband."³² If such a situation occurs, the apostle demands that such a woman either remain unmarried or become reconciled to her husband: "Therefore the evident meaning of these words is that the wife must do one of two things, either remain unmarried or - rather - be reconciled, since the Lord permits no separation."³³ The η is to be understood as meaning "or, rather," emphasizing that reconciliation is Paul's chief mandate. Paul mentions

³⁰Laetsch, "Divorce and Malicious Desertion," p. 132.

³¹Ibid. Laetsch takes the $\epsilonἰς$ + subjunctive as a reference to a future possibility, from the viewpoint of the speaker or writer.

³²Ibid.

³³Ibid., pp. 132-33.

the duty of remaining unmarried "Simply because, above all, it was his purpose to prevent a hasty remarriage to another."³⁴

LCMS writers such as J. T. Mueller,³⁵ P. E. Kretzmann,³⁶ and J. H. C. Fritz,³⁷ like Laetsch, interpret 1 Cor. 7:11a as a reference to temporary separation (separatio a thoro et mensa). But in presenting the exegetical details the interpretation of these passages has not been uniform. J. T. Mueller, for instance, thinks that Paul is speaking of mixed marriages here, and that in the case of incompatibility temporary separation from bed and board is being advised.³⁸ Otto Sohn concludes: "Temporary separation because of incompatibility is permitted (1 Cor. 7:10, 11), but not absolute divorce." Here Sohn means by "absolute" divorce that is granted by the state.³⁹ Interestingly, Walter A. Maier held that 1 Cor. 7:11a refers to malicious desertion and applies this text by stating that the church should not remarry the deserting party as long as the innocent spouse is alive and unmarried, and the reacceptance of the offender is still a possibility.⁴⁰

Apparently taking a different view of what Paul means in the parenthetical remark, Martin H. Franzmann translates ἐὰν δὲ καὶ χωρισθῇ,

³⁴Ibid., p. 133.

³⁵Mueller, The Church at Corinth, p. 83.

³⁶Kretzmann, Commentary, p. 118. Kretzmann, in his comments on 1 Cor. 7:12-16, translates ἀφίημι used of the wife in verse 13 with "desert" and of the husband in verse 12 with "dismiss"! No explanation is given for this distinction, which is hardly justified - surely not in the case of ἀφίημι (See exegetical section in chapters 3 and 4).

³⁷Fritz, p. 170.

³⁸Mueller, The Church at Corinth, p. 83.

³⁹Sohn, p. 417.

⁴⁰Maier, pp. 442-43.

"If she is already divorced," and μέντω ἄγαμος "remain single," adding "she is free to remarry only after the death of her husband (39-40)."⁴¹

The Traditional Formulation Reconsidered

We have noted in our introductory comments that the traditional view that fornication and malicious desertion constitute genuine exceptions to the rule that marriage is to remain indissoluble has been questioned in recent years. In the paragraphs that follow we have chosen to summarize two of the most recent calls for a reconsideration of the exegetical foundation on which the formulations of the LCMS fathers has been based. The first article cited intends chiefly to caution against the use of the divorce and remarriage texts, including 1 Cor. 7:10-16, as providing legal directives for a casuistic system.⁴² The second focuses

⁴¹Martin H. Franzmann (Concordia Bible with Notes [St. Louis: Concordia Publishing House, 1971], p. 303) calls attention to the term for divorce used for the wife in 1 Cor. 7:10: "The Lord Jesus has no specific word on the wife's seeking a divorce, since under Jewish law she could not sue for divorce. But His word on the inviolability of marriage, Mt 19:6, covers the case." But, we note, Jesus does have a specific word for the wife's seeking a divorce in Mark 10:12, though admittedly perhaps because of a Gentile context.

⁴²H. G. Coiner ("Those 'Divorce and Remarriage Passages . . . ,", p. 383) states by way of summary: "It is very questionable whether a neatly devised program of church discipline which 'binds or looses' people in relation to a divorce and remarriage situation may or should be drawn from the passages studied. In no case should an elaborate casuistic system of marital ethics be derived from them to serve as a legal code whereby certain sins of the marriage partner become a justifiable and rightful basis for initiating a marriage release. To employ the words of Jesus and Paul in such fashion is not in keeping with the ethics of the New Testament." Walther J. Bartling ("Sexuality, Marriage, and Divorce in 1 Cor. 6:12-7:16," Concordia Theological Monthly 39 [June 1968]: 355-66] expresses a similar concern. Reacting to what he views as "a strong countertendency to lift (the New Testament's teaching on marriage and related subjects) out of their kerygmatic context and to reformulate them into a universal code for pastoral care and church discipline," Bartling argues the presupposition that "The Biblical statements on marriage and related subjects do not permit a reduction to codification for

on the need for a re-examination of the situation the apostle is addressing and the applicability of 1 Cor. 7:10-16 to the question of malicious desertion as a grounds for divorce.⁴³ In the interest of making a consistent presentation, we examine the two above articles on the basis of the three elements singled out above in the summary of C. F. W. Walther's position.

We recall that Walther taught that the believer is not permitted to break his/her marriage by divorce, except in the one case of fornication. However, when the marriage is broken by another, the issue involved is not that of the believer breaking the marriage (die Scheidung), but merely of obtaining a legal acknowledgment of what has already occurred (die gesetzliche Scheidung). Strictly speaking, therefore, in the latter case desertion is (before God) not a ground for divorce, but a situation in which divorce has already occurred and remarriage becomes a possibility.

H. G. Coiner, on the one hand, concludes, "If one reads the 'divorce and remarriage' passages to mean that a divorce under given

a program of legalistic church discipline" (p. 357). This concern of Coiner and Bartling had already been voiced with zeal by the American Lutheran Church pastor, G. H. Hoffmann. Concluding that neither Jesus nor Paul intended to offer any circumstances in which divorce is justifiable, Hoffmann rejects any distinction between "innocent" and "guilty" parties and appeals for the use of an "evangelical ethic" in which all divorce is condemned and then Christ's forgiveness applied (Hoffman, p. 133). The traditional twofold "reasons" for divorce are the result of an historical development in which as the state assumed many of the church's functions, attempts were made to harmonize the New Testament's teachings with secular law: "Man took the concessions to human sinfulness and appropriated them to himself as almost an inalienable right, giving the Scriptural passages on the reasons for divorce a legislative connotation." Concessions to human sinfulness were codified into legal directives (p. 134).

⁴³ Martin H. Scharlemann, "The Pastoral Office and Divorce, Remarriage, Moral Deviation," Concordia Journal 6 (July 1980):141-50.

circumstances is not judged to be adultery, a further reading which justifies the marriage break or the repudiation of one's spouse is doubtful. The pattern of the Kingdom is, 'What therefore God has joined together, let no man put asunder.'⁴⁴ Secondly, Coiner concludes, "No place, however, is given to the believer to initiate separation, nor does he have the 'right' to secure a legal divorce. He suffers or allows a divorce action."⁴⁵ It would appear that for Coiner "divorce action" refers only to a legal act and that every legal recourse - even in the case of final abandonment - is disallowed the believer. The implication is that separation - no matter how final - is never reason for a legal divorce.

With respect to 1 Cor. 7:15 and remarriage, the article here cited states, "An allowance for remarriage is not specifically stated, and this freedom cannot be substantiated by valid exegesis. To conclude that remarriage is allowable is to go beyond the clearly stated words of the text, especially in a situation between two Christians." The expression "not bound" means no more than that the believer should not "feel that the situation is disobedience to God's will for marriage."⁴⁶ Thus, οὐ δεδούλωται releases one from conscience scruples regarding the effort to maintain the marriage, but does not release from the bond of marriage itself.

In Walther's formulation, desertion is, strictly speaking, divorce itself - apart from the legal act. In the article here cited, it is not entirely clear whether χωρίζω is understood as a reference to the dissolution of the marriage, or mere separation. In any case, as noted above, no right is ever given to the believer to secure a legal

⁴⁴Coiner, "Those 'Divorce and Remarriage Passages,'" p. 384.

⁴⁵Ibid., pp. 382-83.

⁴⁶Ibid., p. 383.

divorce.

Finally, we observe that Coiner views Paul's parenthetical remark in 1 Cor. 7:11 as a reference to separation, as does Walther. However, Coiner goes on to say that Paul's allowance of separation introduces an element of "ethical relativity" over against the absolute demand.⁴⁷

We conclude this chapter, in which our intention is to give an overview of the treatment of 1 Cor. 7:10-16 by LCMS theologians, by looking at the second article mentioned above.

Having quoted John H. C. Fritz' summary on divorce - which does not differ significantly from Walther's formulation - M. H. Scharlemann concluded:

Whether such an interpretation of 1 Corinthians 7:10-16 will hold is very questionable. In any discussion of this pericope, verse 11 must loom large. It says, 'If she (the wife) leaves him, let her remain unmarried or else be reconciled to her husband.' The central issues at stake here are the two questions whether Christians were really 'bound' by the ties of the old pagan ways of life, and whether it was right for man and wife to live together while one was a member of the household of God and the other was not. Paul proceeds to answer these items, first as they pertain to Christian couples and then with respect to mixed marriages.⁴⁸

The apostle's intention in 1 Cor. 7:10-16 is to emphasize the indissolubility of marriage, not to offer desertion as a second ground for divorce:

⁴⁷Ibid., p. 382.

⁴⁸Scharlemann, p. 147. Dr. Scharlemann suggests that malicious desertion was made part of canon law and then European civil law, and that without careful attention having been given to the context of 1 Cor. 7:10-16, the LCMS fathers, too, did not have "the opportunity to check out the apostle's words in light of the problems existing in Corinth." "Paul's major emphasis," he states, "lies at the point of insisting that the marriage tie, once formed, should in every way possible be maintained (vv. 15b, 16). Peace is better for a Christian than disruption even under the most difficult circumstances. There always remains the possibility of saving the unbeliever" (Ibid.).

In short, the apostle's discussion did not intend to offer desertio malitiosa as a second reason for divorce. As Heinz Wendland puts it in Das Neue Testament Deutsch, 'With a high degree of sensitivity Paul insists that the continuation of mixed marriages depends on the attitude of the unbelieving spouse.' The verses involved serve rather to underscore the indissolubility of marriage. Under any circumstances, the apostolic directives do not extend to the question of remarriage.⁴⁹

Briefly, in light of the traditional interpretation of 1 Cor. 7:10-16, the following points should be made. First, while it is not clear in what sense the term "divorce" is here employed, the above point that Paul does not offer desertio malitiosa as a second reason for divorce (legal?) appears consistent with Fritz' statement that "Desertion is in itself divorce,"⁵⁰ and unlike fornication not a cause for a divorce. However, οὐ δεδούλωται does not in the opinion of the above writer refer to the dissolution of the marriage and therefore does not grant freedom to remarry.⁵¹ Thirdly, it appears that both 1 Cor. 7:11 and 15 are viewed as references to separation, not to the dissolution of the marriage. For this reason, no room is left by Paul for remarriage. Separation can never be regarded as a dissolution of the marriage.

Summary

In summary, we note that C. F. W. Walther made a conscious effort to state that 1 Cor. 7:15 does not offer a second ground for divorce. In

⁴⁹Ibid.

⁵⁰Fritz states fully: "Desertion is in itself divorce, while fornication is not itself a divorce, but cause for a divorce." According to Fritz' interpretation of 1 Cor. 7:15, therefore, desertion cannot properly be spoken of as a second reason for divorce. It is divorce or severance of the marital bond. The legal act is another matter.

⁵¹Dr. Scharlemann goes on to state, "If one or the other (of any two people who marry) remarries while the partner is still living, that is an act of adultery" (Scharlemann, p. 147).

saying this, he had in mind a distinction between the non-legal dissolution of marriage and the legal act in the civil sphere. Walther referred to desertion as divorce. The legal divorce is a public acknowledgment of what is in fact already a break of the marriage. When desertion is spoken of as a second ground for divorce, this is strictly speaking incorrect. While it is not always clear precisely in what sense the term "divorce" is used by LCMS writers following Walther, it can be said that when desertion is spoken of as a cause (Ursache) of divorce, the legal act is primarily in view.⁵²

Second, without exception 1 Cor. 7:15 is taken to apply to remarriage. Desertion definitively established grants the freedom to remarry, during the lifetime of the deserter, that is. *Ὁυ δεδούλωται* is taken as a reference to the dissolution of the marriage, since consent (that which makes marriage) is intentionally withdrawn. When one is talking about remarriage, one can correctly say that there are two cases in which remarriage is permitted: when the other partner commits adultery through fornication, and when the other partner has intentionally left him/her for good.⁵³ The principle Paul enunciates in Rom. 7:1-3, namely, that marriage is to be lifelong, is not applied in the case of desertion to require that the abandoned spouse remain unmarried while the deserter is still living. Rather, Rom. 7:1-3 is applied to prove that marriage is terminated by desertion and freedom for remarriage given.

⁵² Sohn states: "Paul, on the other hand, speaks of a union that has already been broken by desertion on the part of one spouse. The couple are no longer living together. The efforts of one to bring back the other are in vain. The one who applies for a legal divorce is not putting his spouse away. That has already been done by deserting and refusal to return" (Sohn, p. 416).

⁵³ Walther, "Etwas," p. 89.

With respect to 1 Cor. 7:10-11, while the absoluteness of Paul's demand is assumed, his parenthetical remark in 11a is taken as a reference to separation. No explanation is given why χωρίζω in 7:15 means actual divorce, while in 11a it means mere separation.⁵⁴

In recent years, LCMS writers have questioned the traditional way of explaining 1 Cor. 7:10-16 at two points. Exegetical support does not exist in this text, it is submitted, for regarding desertio malitiosa as a second ground for divorce. The basis for this assertion has differed. In one case, the presupposition is argued that no exceptions are really granted by either Jesus or Paul. In another case, Jesus is understood to be granting a genuine exception or ground for divorce, but not Paul. Moreover, in the case of both recent calls for reconsideration of the divorce and remarriage texts, the extension of 1 Cor. 7:15 to the question of remarriage is rejected.

⁵⁴ See note 36.

CHAPTER II

1 CORINTHIANS 7:10-16: OCCASION AND CONTEXT

While our purpose in this thesis is not to carry out an exegetical study of 1 Corinthians 7 as a whole, it is not possible to understand our pericope fully without reviewing the occasion of this chapter, the probable issues which gave rise to Paul's counsel, and the line of argument Paul employs. Moreover, since the prescriptive force of what Paul says in 1 Cor. 7:10-16 has been questioned, it is important that we look at how Paul himself viewed the directives which he gave to this congregation in this difficult area of pastoral concern. We recognize that there are "contingent elements in the Biblical revelation" before us that may not be given "a one-for-one application at a much later time."¹ Nevertheless, we approach the text with the assumption that it is possible to determine clear principles which have lasting validity as ethical norms. With these considerations in mind, What, then, was the occasion and context of Paul's remarks in 1 Cor. 7:10-16?

Occasion

At 1 Cor. 7:1 Paul makes known his intention to respond to a number of specific questions addressed to him by the Corinthians in a letter. The formula *περὶ δε*, here accompanied by *ἐκράψατε*, introduces chapter seven as the first in a series of apostolic directives regarding

¹Scharlemann, p. 141.

problems which had arisen in the congregation.² The recurrence of this formula at 7:25, 8:1, 12:1, 16:1, and 16:12 suggests, as Heinz-Dietrich Wendland has observed, that from chapter seven on Paul proceeds point by point to take up the inquiries listed in the Corinthian letter.³ Paul may even be quoting this letter at certain points in catchword fashion as a way of engaging the specific arguments or concerns forwarded by the Corinthians.⁴ In any case, it is clear that the immediate occasion of this chapter is that Paul had been asked by the Corinthians to deal with the questions before him.⁵

Context

What, however, was the situation which may have prompted the Corinthians' letter and shaped Paul's response? The problems in Corinth which gave rise to the apostle's discussion of marriage and related matters in 1 Corinthians 7 can be determined only conjecturally by inference

²J. C. Hurd, emphasizing the importance of this formula for the structure of 1 Corinthians and assuming that "Paul's list of answers corresponds more or less closely to a list of questions from the Corinthian Church," has attempted a reconstruction of the content of the Corinthian letter. (The Origin of 1 Corinthians [New York: Seabury Press, 1965], p. 64; cf. note 1)

³Heinz-Dietrich Wendland, Die Briefe und die Korinther (Göttingen: Vandenhoeck & Ruprecht, 1972), pp. 48-49, states: "Es ist wahrscheinlich, dass er von Kap. 7 an bei seiner Behandlung der Gemeindenöte der Reihenfolge der Fragen in dem Korinthischen Brief folgt." ("It is probable that from Chapter 7 on he is following the sequence of the questions in the Corinthian letter in his treatment of the congregational needs.")

⁴Hurd, pp. 65-68. See Hurd's table 5 on page 68 for a listing of opinions regarding possible quotations. Hurd has listed 6:12; 10:23; 6:13, 7:1; 8:1, 4, 5, 6; 8:8; and, 11:2. Jean-Jacques von Allmen, Pauline Teaching on Marriage, (London: The Faith Press, 1963), p. 13, gets the impression that Paul quotes the Corinthians as a way of saying "Yes, but"

⁵The written inquiries from Corinth may have been supplemented by information from "Chloe's people" (1:11) or by Stephanas, Fortunatus, and Achaicus (16:17).

from Paul's reply, for we have neither the Corinthians' letter nor a direct description of the situation in Corinth. In general terms, the usual explanation of the "Corinthian error" has been that "the Corinthians are behaving as if the age to come were already consummated, as if the saints had already taken over the kingdom (Dan. vii. 18); for them there is no 'not yet' to qualify the 'already' of realized eschatology."⁶ That this analysis of the theological mindset of some in Corinth⁷ has some substance is shown by some observations by Johannes Munck in his study of 1 Corinthians 1-4. He writes on 1 Corinthians 4:

The next section, 4.8ff., shows, as does ch. 15 later, that in the Corinthians' reckoning 'the resurrection is past already' (II Tim. 2:18), as the existence begun with baptism and the gifts of grace already represented the millenium or the final salvation. The kingdom of God is for them a reality already experienced, as we can infer from the expressions that Paul uses about it - 'already you are filled!' (cf. Matt. 5.6; Luke 6.21); 'already you have become rich! Without us you have become kings!' (cf. Matt. 5.3; Luke 6.21; II. Cor. 8.9). In the next sentence, 'and would that you did reign so that we might share the rule with you!' Paul reveals the Corinthians' error. When the kingdom of God comes, it is for all Christians, not the Corinthians alone. And with this sentence the apostle begins to explain in what way there is a difference between the Corinthians and the apostles, the former think they are rulers, filled and rich, wise in Christ, strong and held in honour (4.8,10). The apostles, on the other hand, are suffering and in disrepute among men, but in the midst of their sufferings they bless those who revile them (4.9-13). The Corinthians have been mistaken, and they think they already have eternal life, but the truth is that the Church is still in the midst of this world. . . .⁸

⁶C. K. Barrett, The First Epistle to the Corinthians (New York: Harper and Row, 1968), p. 109. Cf. Herman Ridderbos, Paul: An Outline of His Theology, trans. John Richard DeWitt (Grand Rapids: Wm. B. Eerdmans Publishing Company, 1975), p. 313.

⁷Cf. the summary of the explanations given for what lay behind the various excesses of the pneumatics at Corinth in Darrell J. Doughty, "The Presence and Future of Salvation in Corinth," Zeitschrift für die Neutestamentliche Wissenschaft 66 (1975):62-63.

⁸Johannes Munck, Paul and the Salvation of Mankind, trans. Frank Clarke (Atlanta: John Knox Press, 1959), p. 165.

There are indications in 1 Corinthians that what has been called "the eschatological fever" among those in Corinth who had already (perhaps $\eta\delta\eta$ is one of the catchwords) become filled and ruled as kings (4:8) had ethical implications in two directions. On the one hand, there were those in Corinth who evidently advocated with the catchword "All things are lawful for me" (6:12) a liberty to associate with prostitutes, and this on the basis of an argument that the satisfaction of sexual appetite was no different from the satisfaction of the appetite for food (6:13). On the other hand, it appears that there was in Corinth a move toward asceticism,⁹ whereby celibacy was praised (7:1) and sexual intercourse deprecated (7:3-5). Martin H. Franzmann has observed, "Pursuing their ideal of religious self-fulfillment, they saw in marriage merely an impediment to the religious life and were intent on making the church an association of celibates without regard for the authority of the Lord Jesus, who had blessed little children and had declared the bond which united man and woman to be inviolable (Mt. 19:3-9), 13-15) and made celibacy a gift reserved for those 'to whom it is given' (Mt. 19:11)."¹⁰

⁹Kurt Niederwimmer ("Zur Analyse der asketischen Motivation in 1 Kor 7," Theologische Literaturzeitung 99 [April 1974]:243) concludes: "Die Frage der Korinther ist im Grunde die, ob die Übernahme der neuen Existenz in der Taufe nicht den partiellen oder vollständigen Sexualverzicht einschlieszt." ("The Corinthian question is fundamentally whether or not the taking over of the new existence constitutes the partial or complete denial of sexuality.") Cf. Wolfgang Schrage, "Zur Frontstellung der paulinischen Ehebewertung in 1 Kor 7:1-7," Zeitschrift für die Neutestamentliche Wissenschaft 67 (1976):214-34, and D. L. Balch, "Backgrounds of 1 Cor. VII: Sayings of the Lord in Q; Moses Ascetic $\Theta\epsilon\omicron\varsigma$ ANHP in II Cor. III," New Testament Studies 18 (3, 1972):351-64. Balch cites the interesting references in 1 Clement (38.2; cf. 35.2 and 48.5) and Dionysius' (bishop of Corinth about 170 A. D.) letter to Pinytus of Gnosus in Crete (cf. Eusebius, Eccl. Hist. IV. 23. 7-8) to show how asceticism remained a strong influence in Corinth.

¹⁰Martin H. Franzmann, p. 291.

Heinrich Greeven may be correct in thinking that a particularly "pious" form of disobedience against Christ's $\alpha\nu\chi\omega\rho\iota\varsigma\acute{\epsilon}\tau\omega$ had taken root in Corinth: married people who had become Christians were told that it is very doubtful that sexual intercourse is appropriate for those who are citizens of the age to come.¹¹ This move toward asceticism may have involved particularly women and may account for the apostle's mention of the wife first in his prohibition of divorce in 1 Cor. 7:10. In this connection James Moffat conjectures: "As the feminist party in the local church had evidently claimed freedom to desert or divorce a husband, Paul mentions the case of the wife first. Some wives, of an ultra-spiritual temper, may have gone or wished to go further than to suspend marital relations (verses 3-4)."¹²

It may well be that those in Corinth who rejected marriage and pursued their drives by uniting with prostitutes and practicing incest (chapter 5) and those who rejected marriage as a lower level than the higher spiritual estate and as a hindrance to the pursuit of piety¹³ possessed a common error: both rejected the body and the natural orders of life (perhaps appealing to Paul's status for support - 7:7.)¹⁴ Thus, one might understand how "It is good for a man not to touch a woman" could have been a Corinthian ascetic slogan forming the rationale for

¹¹ Heinrich Greeven, "Zu den Aussagen des Neuen Testaments Über die Ehe," Zeitschrift für Evangelische Ethik 1 (May 1957):119.

¹² James Moffat, The First Epistle to the Corinthians (New York: Harper and Brothers Publishers, 1938), p. 78.

¹³ Erich D. Stange, Der Erste Korintherbrief (Leipzig: Gustav Schloessmanns Verlagsbuchhandlung, 1936), p. 48.

¹⁴ Adolf Schlatter, Erläuterungen zum Neuen Testament, Zweiter Band, in Die Briefe des Paulus (Stuttgart: Calwer Vereinsbuchhandlung, 1921), pp. 56-57.

discarding the marital estate in favor of celibacy (chapter 7), while "All things are lawful for me" could be the libertine slogan granting license to associate with harlots for those who could not be continent and yet wished to be free from the burden of marriage (chapter 6).¹⁵ In the words of Günther Bornkamm, the questions with which Paul deals in 1 Corinthians 7 are symptomatic of the "tendency toward emancipation" in Corinth, a freedom which moved toward "the dissolving of all earthly and human relationships and the realization of a new super-earthly mode of life. . . ."¹⁶

This diagnosis of the problem in Corinth may help to explain an emphasis which runs through 1 Corinthians 7. In this chapter the apostle reminds this congregation that the Christian is called to be obedient to God within, not above, whatever earthly station he finds himself occupying. In the words of Herman Ridderbos, the proclamation of the Gospel at Corinth did not introduce a "premature encroachment in the existing social order," still less the "overthrow of the existing order. . . ."¹⁷ Entrance into the Christian community does not mean one is translated out of the world or that human relationships not determined by membership in this community are invalid or to be rejected. Rather, "each one, in whatever state he was called, brothers, let him remain there before God" (7:24; compare verse 20). It is not possible for one to arrogantly place oneself

¹⁵Franzmann, p. 291.

¹⁶Günther Bornkamm, Paul, trans. P. M. G. Stalker (New York: Harper and Row Publishers, 1969), p. 207. Cf. Fred D. Gealy, The First and Second Epistles to Timothy and The Epistle to Titus, in Interpreter's Bible, Vol. 11 (New York: Abingdon Press, 1955), pp. 425-26.

¹⁷Ridderbos, pp. 316-17.

above the law (1 Cor. 5:1-2, 6: 6:12) or the structures which God has erected in the created order (6:16b). J. J. von Allmen has said that we might well title Chapter 7 as whole this way: "Do not make the Holy Spirit an excuse for turning everything upside down!"¹⁸

In his effort to counter the Corinthian asceticism, Paul applies throughout this chapter a fundamental principle: entry into the marriage estate is a matter of Christian liberty, even if circumstances make it difficult; but those who have entered it have the apostolic mandate to preserve it.

In verses 1-9 the apostle established the principle that celibacy is a *χάρισμα* (7:7). For those who find themselves within this state, there is no mandate to seek marriage. For those who do not have the gift to remain continent (7:9), there is no mandate to avoid marriage and the physical relationships within marriage. Rather, marriage is the place (7:2) for such persons (7:9), can be entered with a good conscience, and is the sphere where devotion to the Lord is exercised without ignorance of the needs of those who cannot practice abstinence without giving in to Satan's temptation to sexual excess (7:5).

With respect to 1 Cor. 7:10-16, an ascetic aversion in Corinth, as G. G. Findlay suggests, might indeed have given rise to two questions from the Corinthians: Are Christians really "'bound' (*δεδουλωμένοι*, 15) by the ties of the old life formed under unholy conditions," and is it "right for man and wife to live together while one (is) in the kingdom of God and the other in that of Satan."¹⁹ As we shall see in greater

¹⁸ J. J. von Allmen, Pauline Teaching on Marriage, p. 13.

¹⁹ G. G. Findlay, St. Paul's First Epistle to the Corinthians, in The Expositor's Greek Testament, ed. W. Robertson Nicoll (Grand Rapids: Wm. B. Eerdmans Publishing Company, 1897), p. 825.

detail later, the apostle answers both of these questions by affirming that, insofar as it depends on them, Christians are to remain within their marriages, even if they were formed prior to conversion or involve a present union with an unbeliever. As Ulrich Wilckens has stated, the Christian hope does not stand in conflict with the present relationships one occupies, but rather calls for "die 'zeitgerechte' Wahrung der gegenwärtigen Verhältnisse in der gewissen Hoffnung auf die Zukunft des endgültigen Heiles Gottes."²⁰

To underline the general principle that the call into Christ's kingdom does not release one from keeping God's commandments (7:19) with- in whatever state one finds oneself, the apostle in 7:17-24 tells the circumcised and uncircumcised (18-19), and likely the slaves (21-22),²¹

²⁰ Ulrich Wilckens, Das Neue Testament (Hamburg: H. Rennebach KG, 1970), p. 581. Translation: ". . . the preservation of present relationships, fitting for this age, with certain hope in the future of God's final salvation."

²¹ As Bauer-Arndt-Gingrich-Danker's note on μᾶλλον χρῆσαι attests (W. F. Arndt and F. W. Gingrich, A Greek-English Lexicon of the New Testament and Other Early Christian Literature, 2nd ed. revised and augmented by F. Wilbur Gingrich and Frederick W. Danker from Walter Bauer's 5th ed., 1958 [Chicago: University of Chicago Press, 1961], p. 884 [hereafter BAGD]), commentators ancient and modern have been divided on whether Paul is urging slaves to seek to be free of their status, or rather to remain slaves and make use of this calling in the exercise of their freedom in Christ. If one translates the εἰ καὶ concessively and supplies "slavery" after μᾶλλον χρῆσαι, then the meaning is that Paul urges the continued use of slavery despite the opportunity to change status. On the one hand, if εἰ καὶ is translated as a simple condition, μᾶλλον with relative force, and the aorist χρῆσαι noted, Paul urges the attainment of freedom from the status of slave. A third view is held by Grosheide (F. W. Grosheide, Commentary on the First Epistle to the Corinthians [Grand Rapids: Wm. B. Eerdmans Publishing Company, 1953], p. 168) who has Paul advising slaves to make that much more use (of their calling), that is, as free. It is difficult to decide with certainty which view is preferable. Although some grammarians prefer the second view (James H. Moulton, A Grammar of New Testament Greek, 3 vols. [Edinburgh: T. & T. Clark, 1906-1976], 1:247; 2:165 and C. F. D. Moule, An Idiom Book of New Testament Greek, 2nd ed. [Cambridge: Cambridge University Press, reprint ed., 1982], pp. 21, 167), Paul's stress in the

and the free (22) that each one should remain as he/she is before God (παρὰ Θεῶ -24).

To those who are virgins (25-38), the apostle offers his inspired counsel that in view of the pressures (32-35) placed on married people in this time of distress (26) and of the approaching dissolution of the structures of existence in this age (31, 29), it is advantageous (καλόν),²² though not mandatory, that they stay as they are in the unmarried state (26). However, although marriage brings involvement in worldly afflictions (28) and anxieties (33-34), and those who enter it must do so with the sober realization that marriage, too, is part of that order which is passing away (31), yet the estate of marriage is consistent with one's life in Christ and should not be broken (27-28).

While verses 36-38 are exegetically very difficult,²³ the

context tilts the meaning toward the concessive nuance (Cf. F. Blass and A. Debrunner, A Greek Grammar of the New Testament and Other Early Christian Literature, a trans. and rev. of the 9th-10th German ed. incorporating notes of A. Debrunner by Robert W. Funk [Chicago: University of Chicago Press, 1961], par. 374 [hereafter BLDF]) preferred by BAGD (p. 220) and suggests Paul is urging chiefly maintenance of the status quo. As Barrett has noted, the γάρ of verse 22 is particularly important. If Paul were urging the pursuit of freedom (second view), his argument in verse 22 would be that freedom in Christ means one should strive to be free of the status of earthly slavery. This does not square well with the statement in verse 20.

²²Barrett observes correctly: "For Paul the issue is one of expediency; good is not used in a moral sense. The unmarried state is, for a number of reasons of a pragmatic kind, a very fine thing, and happy are they who can maintain it; but marriage is at worst troublesome, is in no way wrong, and is a divine institution." (p. 155)

²³Cf. R. H. A. Seboldt, "Spiritual Marriage in the Early Church; A Suggested Interpretation of 1 Cor. 7:36-38," Concordia Theological Monthly 38 (February-March, 1959):103-19; 176-89. Seboldt, having summarized the various approaches to this text, thinks that the reference may comprise a very early tradition behind the practice of spiritual marriages. Hurd (pp. 169-82) concludes that the reference is to "celibate couples" who practiced a marital asceticism. Since παρθένος means simply "virgin" and χαρίζω ordinarily is used of the father

principle Paul sets forth is the same as he articulates previously in this chapter. There are good reasons, under the present circumstances, to support the unmarried state. But, entrance into marriage does not involve sin. What may be advantageous cannot, therefore, be viewed as divinely necessary.

Again in verses 39-40, the word to widowed persons, the principle is that while under the circumstances it may be good for a widow to remain unmarried, yet such a decision is a matter of Christian liberty, though indeed one to be made ἐν κυρίῳ.²⁴

Having reviewed how Paul counters what appears to have been an ascetic tendency in Corinth, we must now return once again to 1 Cor. 7:10-16 and make a concluding observation concerning the place of this pericope in 1 Corinthians 7. Of considerable importance, we would submit, is the presence of εἰ μὴ in the text of 7:17. This adversative particle²⁵ points back to verse 15, where Paul allows for the Christian to regard a marriage broken in the case of definitive abandonment. The apostle does not want to be misunderstood. The recognition that in certain circumstances the marital bond may be broken by an unbeliever does not mean that one may regard marriage as a socially dispensable institution.

"giving in marriage," (see Matt. 22:30; 24:38; Mark 12:25; Luke 17:27; 20:35 and comment by Archibald Robertson and Alfred Plummer, A Critical and Exegetical Commentary on the First Epistle to the Corinthians [Edinburgh: T. & T. Clark, 1958], p. 159) Seboldt's first so-called "The Traditional Father-Daughter View" seems most natural.

²⁴As C. K. Barrett has noted (p. 186), this does not have to mean she must marry a Christian. See Note 36, Chapter IV.

²⁵See footnotes 47-51 of chapter four, where we discuss the significance of the particle to make a slightly different point. The grammars, as shown, indicate that εἰ μὴ is equivalent to the adversatives ἀλλὰ and πλὴν.

That is, "Faith does not mean social reshuffling. But there is to be a radical change in the walk."²⁶ Paul applies the general principle of 1 Corinthians 7 to those who are married: they are to live in keeping with God's will within their calling. When it comes to those who are within the married state, Paul argues with the force of the divine will (10-11) that Christians are never to initiate the dissolution of marriage. When the Lord has spoken there is no room for negotiation.²⁷

1 Corinthians 7:10-16: A Note on the Normative
Character of Paul's Instruction

The distinction which the apostle makes between what the Lord commands (. . . οὐκ ἐχὼ ἀλλὰ ὁ κύριος . . . verse 10) and what he, but not the Lord, says (. . . λέγω ἐγὼ οὐχ ὁ κύριος . . . verse 12) has been regarded as a problem in New Testament interpretation. On the one hand, what Paul writes in this text has been interpreted according to the principle that any declension from Jesus' command that marriage remain absolutely indissoluble must be regarded as part of "the traditioning process" whereby the church adapted the Lord's teaching to deal with human exigencies. Such "historically conditioned" adaptations cannot be regarded as in keeping with the authentic teaching of Jesus and therefore cannot have universal applicability "as revealed eternal law." By means of the above distinction, therefore, Paul deliberately "avoids absolutizing a historically conditioned concession."²⁸

²⁶Theological Dictionary of the New Testament (hereafter TDNT), s.v. πατέω, by Heinrich Seesemann, 5:944.

²⁷Adolf Schlatter, Paulus: Der Bote Jesu (Stuttgart: Calwer Vereinsbuchhandlung, 1934), p. 221.

²⁸Richard N. Soulen, "Marriage and Divorce - Problem in New Testament Interpretation," Interpretation 23 (October 1969):447.

This explanation of the distinction Paul makes between the Lord's words and his own in verses 10 and 12 must be rejected for two reasons. First, the normative authority of the Biblical text does not rise or fall with what took place in the history of the editorial process,²⁹ in which in this case it is supposed that the teaching of Jesus was adjusted to carry out the task of communicating God's love and mercy, that is, the task of proclamation. One might ask, How will we ever recover with any degree of certainty what is normative and what is not normative for the church? Rather, the normative authority of the Scriptural text lies in the text itself. The text itself has normative authority because it has been inspired by God and therefore to be regarded as God's Word. Thus, even that portion of the pericope where Paul imparts his opinion must not for the reason that he declares it his personal judgment be regarded as not having normative authority for the church of every age. "It was. . . by inspiration (Paul) volunteered his personal opinion about the advisability of getting married in times of persecution (1 Cor. 7:25-26)."³⁰ Secondly, to hold that the church adapted the Lord's teaching to deal with human exigencies and established rules contrary to and beyond the

²⁹This is the point made forcefully by Harry Huth in an unpublished essay delivered at the 1974 "Theologians Convocation" at Concordia Seminary, St. Louis, entitled "A Response to Dr. Kramer's Gospel - Scripture Relationship." Dr. Huth asked in conclusion, "Operating with a view of the nature of the New Testament documents such as that of this book referred to and using the method it proposes for attempting to discover what the teachings of the primitive Christian Community were, how will we ever recover with any degree of certainty the materials by which we test the purity of our preaching? If it is true that the rise of the historical-critical method does not permit God to be the subject of a single sentence, how will we say of the Gospel we teach, 'Thus saith the Lord?'" (p. 15).

³⁰"The Inspiration of Scripture," A Report of the Commission on the Theology and Church Relations, March 1975, p. 6.

Word of Christ is, in the words of J. T. Mueller, to place the Church above Scripture.³¹

To hold that the Biblical text has normative authority as God's Word, in particular when we encounter a section of Scripture such as 1 Cor. 7:12-16, does not solve completely the hermeneutical problem. Martin H. Scharlemann has formulated the question this way:

As soon as we observe that the Bible offers us an historical revelation, we are implying that it contains not only the constants of God's Law and of the Gospel, but that it also deals with contingent elements which had a certain validity for the culture prevailing at the time when the sacred author wrote what he did under the Spirit's guidance, but which cannot properly be given a one-for-one application at a much later time.³²

The issue for the interpreter who accepts the authority of the inspired text, therefore, is the application of what Paul, for example, says in 1 Cor. 7:12-16, where he deals with a specific situation in Corinth which perhaps has never again been duplicated with all its elements.

The significance of the apostle's distinction may be best summarized by making two observations. First, Paul is here not making a distinction between inspired and authoritative statements on the one hand, and his own uninspired opinion.³³ The apostle regards his own judgments regarding the situation in Corinth as issued from "one who by the Lord's mercy is trustworthy" (7:25) and one who has the Spirit of God" (7:40). The principle that each one should lead the life which the Lord has assigned him is "commanded" (*δουλοῦμαι*) by the apostle

³¹ J. T. Mueller, "The New Testament and Divorce," in *Theological Observer*, *Concordia Theological Monthly* 21 (January 1950):67.

³² Scharlemann, p. 141.

³³ John Murray, *Divorce* (Philadelphia: Maurice Jacobs Inc., 1953), p. 62.

in all the churches (7:17). Moreover, the οὐκ ἔχω ἀλλὰ ὁ κύριος of verse 10 is not a correction of something wrongly said by παραγγέλλω, the subject of which is the apostle. Paul speaks with the authority of an apostle, but in what follows in verses 10-11 with a direct word from Jesus which he can quote. The ἔχω of verse 12 is the same inspired apostle speaking,³⁴ but one who speaks by way of applying the Lord's teaching in an area not specifically treated by Jesus, namely, that of mixed marriages.

Second, we submit that in 1 Cor. 7:12-16 we see the apostle making a particular application of a more general principle which he has already summarized in 1 Cor. 7:10-11. The principle which Paul applies to a unique problem in Corinth applies with normative force for the church of every age, even while the particular elements of the cases in Corinth may not always be present. Martin H. Franzmann introduced his 1950 article on the "Exegesis on Romans 16:17ff." with this same point:

St. Paul's Epistle to the Galatians was used by Luther in the Reformation and is used by us today as normative for the life of the church, despite the fact that no Judaizers demanding circumcision and the observance of new moons and sabbaths beset Luther in the sixteenth century or beset us today. The issue which the Judaizers raised is with us always. Cephas and Apollos and the first-century Corinthian church are long dead and gone; but 1 Corinthians 1-4 still speaks to us on factions and partisanship within the church. We use Romans 14 and 15 still as normative for the relationship

³⁴Oscar Cullmann calls this the ἔχω of "apostolic consciousness" and observes: "In 1 Corinthians 7:10 ἔχω is contrasted with Kyrios, but it is the same ἔχω of apostolic consciousness. Here Paul points out that even in cases where the Kyrios does not give exact instructions in a logion handed down by tradition, the apostle is entitled to give his opinion. That this ἔχω may be regarded as that of the apostolic claims is clear from verse 25: 'Now concerning virgins I hand no command of the Lord, but I give my opinion as one who by the Lord's mercy is trustworthy'. This grace to be trustworthy refers to the apostolic office." (The Early Church, ed. A. J. B. Higgins [Philadelphia: The Westminster Press, 1956], p. 74)

between the weak and the strong in faith, although diffidence regarding meat and wine and days is notably absent from the mind of present-day Christians. It would be impossible to parallel anywhere in Christendom today the peculiar blend of theosophic, ritualistic, and ascetic elements in the heresy that threatened Colossae in the time of St. Paul; yet Colossians still speaks against any teaching or tendency that shifts the Christian's faith and life away from the Center and Head, Christ. One could extend the list. Someone has said that the New Testament is case-law, not code-law; the expression is not a very happy one, but it does serve to indicate the "occasional," yet normative character of much of the New Testament teaching.³⁵

As it would be impossible "to parallel anywhere in Christendom today the peculiar blend of theosophic, ritualistic, and ascetic elements that threatened Colossae in the time of St. Paul," so it would be difficult to duplicate the precise case of pastoral care with which Paul deals in 1 Cor. 7:10-16. Nevertheless, the principle he establishes is normative: when a person who is himself/herself prepared to remain faithful to his/her marital commitment is abandoned by the other party in a way that can realistically be understood as definitive or final such a person is free of the commitment to the union, because it no longer exists. To an examination of this text and a look at the way Paul formulates this principle we now turn.

³⁵Martin H. Franzmann, "Exegesis on Romans 16:17ff.," Concordia Journal 7 (January 1981):13-14.

CHAPTER III

AN ANALYSIS OF 1 CORINTHIANS 7:10-11

We have seen in the previous chapter that the apostle is likely responding to an inquiry aimed at determining whether the obligations of marriages contracted prior to the conversion of Christian couples are still in force, or whether entry into the realm of God's Spirit brings with it freedom to dissolve these old ties in the interest of pursuing a higher righteousness. In response to this impulse to be free from the impediments of married life, the apostle establishes the principle, on the basis of a word from the Lord, that marriage is to be broken by neither party of the marital union, the implication being that the commitments made in marriage are not superseded by the call into the fellowship of God's Son. Having made this general observation, we must now determine more precisely how Paul formulates the Lord's teaching in verses 10-11 which he puts before the Corinthians once again.¹

Since the apostle expressly states that he is passing on a word of the Lord on the question of divorce, the discussion of this chapter is structured as follows: (a) A summary of the teaching of Jesus on divorce

¹Abel Isaksson, Marriage and Ministry in the New Temple (Lund: C. W. Gleerup, 1965), p. 105. Isaksson observes that Paul's repeated use of the formula *οὐκ οἶδατε* (3:16; 5:6; 6:2, 3, 9, 15, 16, 19) is his way of alluding to instruction which he had already given them. Although the formula does not occur in 1 Corinthians 7, Paul seems to be responding to inquiries concerning marriage from some whose consciences were sensitized by the Lord's will made known previously to them. 1 Cor. 7:15 seems to presuppose that someone considered the Lord's absolute prohibition of divorce binding even in the case of the unbeliever who departs.

and remarriage; (b) An examination of Paul's formulation of Jesus' principles; and (c) Summary statement of Paul's principles. We add that no attempt is here made to enter the highly conjectural undertaking of source analysis. While attempts have been made to determine which synoptic materials the apostle utilized or which strand of tradition lying behind these texts surfaces in 1 Cor. 7:10-11,² the fact remains that we have no way of knowing exactly what source(s) Paul had in hand.³ Neither is there sufficient textual similarity to ascertain the form of the tradition with which Paul may have been familiar.

²Cf. D. L. Dungan, The Sayings of Jesus in the Churches of Paul: The Use of the Synoptic Tradition in the Regulation of Early Church Life (Philadelphia: Fortress Press, 1971), p. 133, for a summary of such attempts. Among critical scholars Markan priority for the marriage and divorce texts has been widely assumed, following R. Bultmann's History of the Synoptic Tradition, trans. John Marsh (New York: Harper and Row, 1963), pp. 49-50, 136, 146. It is important to recognize that those who accept the Markan priority a priori reject as a secondary accretion any declension from the primitive ideal that marriage remain the life-long union of one man and one woman (Cf. note 3).

³Jean Hering states succinctly, "The word of the Lord to which reference is made is not actually quoted. It is idle to ask whether the author already knew a written collection of Logia (the Sermon on the Mount?) or was depending upon an oral tradition; we have no means of answering." (The First Epistle of St. Paul to the Corinthians [London: The Epworth Press, 1962] p. 52.) Two observations are in order here: a) The pericopes found in the Synoptic Gospels (Matt. 5:31-32; 19:3-12; Mark 10:2-12; Luke 16:18) and the words of the apostle in 1 Cor. 7:10-16 are regarded by this writer as the Word of God in their entirety (Cf. Otto Sohn, "What God Hath Joined Together," p. 417). What Paul taught in 1 Corinthians 7, therefore, complements what Jesus taught. b) We reject the approach of historical criticism, whereby both the Synoptic and Pauline materials are viewed as having undergone alterations as the church was allegedly unable to live with the absoluteness of Christ's demand regarding the indissolubility of marriage. Since the Scriptures are without qualification the Word of God (1 Thess. 2:13), the text must be our norm, not the traditioning process that is behind the text. Adolf Schlatter has appropriately written, "Ich heisse Wissenschaft die Beobachtung des Vorhanden, nicht den Versuch sich vorzustellen was nicht sichtbar ist" (Quoted by Martin Franzmann in "The Art of Exegesis," Concordia Compendium, St. Louis: Concordia Publishing House, 1972).

The Teaching of Jesus on Divorce and Remarriage

What, then, did Jesus teach on the subject of divorce and remarriage? In opposition to the prevailing laxity regarding divorce and remarriage and the distorted exegesis of Deuteronomy 24,⁴ Jesus lifted "the

⁴Although divorce in the Old Testament period was never frequent (The Interpreter's Dictionary of the Bible, 1976 ed., s.v. "Divorce," by C. R. Taber, Supplementary Volume, p. 245), it did occur and needed to be regulated to prevent greater evil. Deut. 24:1-4 contains legislation, formulated by Moses as casuistic law with protasis (vss. 1-3) and apodosis (vss. 4-5), to regularize the divorce procedure, though not to approve of divorce itself. The husband must a) write a bill of divorce (בִּיטּוּל רְשָׁתָהּ βιβλίον ἀποστάσ(ου), b) deliver it into her hand; and c) send her away (וְיָצְאָהּ מִבֵּיתוֹ ἐξαποστελεῖ) out of his house. Though remarriage is assumed, but prohibited to the original spouse, the law was to be a deterrent to rash or arbitrary divorce. In the words of S. R. Driver, "Hebrew law . . . does not institute divorce, but tolerates it, in view of the imperfections of human nature (πρὸς τὴν σκληροκαρδίαν ὑμῶν, Mt. 19:8), and lays down regulations tending to limit it, and preclude its abuse." (S. R. Driver, A Critical and Exegetical Commentary on Deuteronomy [New York: Charles Scribner's Sons, 1906], p. 272). In general, the Old Testament assesses divorce negatively. Though the right to divorce belonged exclusively to the husband, this right was restricted; he could not divorce his wife if he had accused her falsely of pre-nuptial uncleanness (Deut. 22:13-19) or if he had ravished her before marriage (Deut. 22:38). Moreover, divorce came under prophetic criticism as a way of denouncing Israel's unfaithfulness (Jer. 3:1; Is. 50:1; cf. Hos. 2:4-9; Ezekiel 16 and 23). Until later Judaism, when the "forsaken woman" (נִשְׁתָּרֶשֶׁת) appears as a familiar figure - no doubt because of the frequency of military invasions - desertion was no problem (John Paterson, "Divorce and Desertion in the Old Testament," Journal of Biblical Literature 51 [1932]:167).

At the time of Jesus, however, Judaism had sanctioned what Moses had legislated to deter. Rabbinic law regarding divorce and remarriage to some extent probably discouraged divorce (Cf. The Mishna, Gittin 90b, "If a man divorces the wife of his youth, the very altar weeps.") and was intended to control the practice according to a carefully circumscribed procedure regarding the issuance of the bill of divorce (perhaps partly to preclude the adoption of Gentile customs) (Philip C. Hammond, "A Divorce Document from Cairo Geneza," The Jewish Quarterly Review 52 [October 1961]:140). However, during the period of rabbinic Judaism divorce could be carried out by the husband with only few exceptions standing in the way (Herman L. Strack and Paul Billerbeck, Kommentar zum Neuen Testament aus Talmud und Midrash, 5 vols.; vol. 1: Das Evangelium nach Matthäus Erläutert aus Talmud und Midrash [Munich: C. H. Beck'sche Verlagsbuchhandlung, 1926], pp. 319-20). Talmudic law allowed in some instances the wife to apply to a court to have her marriage dissolved, but she had no right on her own to issue a bill of divorce (David Amram, The Jewish Law of Divorce [London: David Nutt], pp.

whole issue to the high region of the strong claims of the kingdom of God on each person's life."⁵ In sharp contrast to a scribal scrupulosity that jealously guarded every decorative flourish of the law (Luke 16:16-18) and interpreted the commandment "You shall not commit adultery" as demanding mere external rectitude, but that at the same time flagrantly violated the spirit of the law, Jesus appealed to the primal will of the Creator (Gen. 1:27; 2:24) that those who are joined in the one-flesh union of marriage are not to put asunder what God has joined together (Matt. 19:3-8; Mark 10:2-9). Jesus taught: (1) That the act of divorce, destructive of what God has joined together for permanence, is itself⁶ contrary to God's creative intent for marriage; (2) That a person who divorces a

55-57). In the days of Jesus and Paul, the rabbinic schools of Shammai and Hillel were divided in their exegesis of Deuteronomy 24 on what constituted grounds for divorce. Shammai emphasized the *עֲרֵוֹת* of the *אֵשֶׁת הַכֹּהֵן* and understood unchastity or sexual immorality as the only ground. Hillel, emphasizing *אֵשֶׁת הַכֹּהֵן* and the clause "if she find no favor in his eyes," explained the *אֵשֶׁת הַכֹּהֵן* as first the wife's unchastity, but secondly anything displeasing to her husband. (Joachim Jeremias, Jerusalem in the Time of Jesus, trans. F. H. and C. H. Cave [Philadelphia: Fortress Press, 1969], p. 370). The Hillelite school, which appears to have been the prevailing school in the 1st half of the 1st century A.D. (Jeremias, p. 370), permitted divorce on the most trivial grounds (Alfred Edersheim, The Life and Times of Jesus the Messiah, Part Two [Grand Rapids: Wm. B. Eerdmans Publishing, Reprinted 1981], pp. 333-34). Rabbi Akiba, on the basis of the words "if then she finds no favor in his eyes" considered divorce justified in the case where the inclination of the man turns toward a woman who pleases him more than his present wife. She could also be dismissed for such a seemingly minor offense as burning her husband's food (Strack-Billerbeck, 3:314). With respect to remarriage, the rabbis favored this option, though reconciliation was first urged (Amram, p. 78-79). It was prohibited in some instances, including divorce on the suspicion of adultery (Paterson, p. 166).

⁵Scharlemann, p. 147.

⁶This is the point of Matthew 5:32, where Jesus describes divorce itself, apart from remarriage, as an act to be condemned for its effect on the wife.

spouse for any other reason than unchastity (πορνεία)⁷ and marries another, commits adultery. Anyone who marries such a person also commits adultery;⁸ (3) That in the case of the one whose spouse commits fornication, which breaks the unity of the marriage, the offended and abandoned party whose marriage has been broken has the right, though not the mandate,⁹ to obtain a legal divorce and may remarry,¹⁰ without being guilty of the sin of adultery.

⁷ Neither grammatical nor textual reasons justify regarding the exceptive clauses of Matthew (5:32, 19:2) as anything less than the genuine teaching of Jesus (BLDF, 216,2; Rob., p. 646; Maximilian Zerwick, Biblical Greek [Rome: Scripta Pontificii Instituti Biblici, 1963], p. 43, note 8, and p. 148; Moule, p. 86; BAGD, p. 625; James H. Moulton and George Milligan, The Vocabulary of the Greek Testament, Illustrated from the Papyri and Other Non-Literary Sources [Grand Rapids: Eerdmans, 1949], p. 492 [hereafter M-M]; cf. Bruce M. Metzger, A Textual Commentary on the Greek New Testament [London and New York: United Bible Societies, 1975], p. 47-48). Even critical scholars concede as much: "Hence one has to reckon with at least the possibility that the Matthean text is original; it is certainly not open to challenge on textual grounds" (TDNT, s.v. πόρνη, by Friedrich Hauck and Siegfried Schulz, 6:591). Similarly, Joseph Fitzmyer: "They (words of the exceptive clause) may not have the authority of ipsissima verba Jesu, but they do have the authority of Scripture" (Joseph Fitzmyer, "The Matthean Divorce Texts and Some New Palestinian Evidence," Theological Studies 37 [June 1976]:224).

⁸ Nothing is expressly said here about the party who took no action to break the marriage, but who suffered this action. The anarthrous ἀπολελυμένην of Matt. 5:32 and Luke 16:18 cannot be pressed with certainty to refer to every divorced woman (or man, as the case may be), including the one offended, but innocent (Cf. Sohn, pp. 416-417, 426; Brian Byron, "1 Cor. 7:10-15: A Basis for Future Catholic Discipline on Marriage and Divorce?" Theological Studies 34 [September 1973]:436).

⁹ This was the case in rabbinic Judaism if the wife committed adultery. Also among the causes for required divorce by the husband were the cases of barrenness after 10 years, incest of the second degree, and remarriage to the original husband (Isaksson, pp. 43-44).

¹⁰ This last principle is based on the inference that the converse of what Jesus taught in Matt. 19:9 is true. Martin Chemnitz stated in this connection: "Therefore, from the contrary sense, whoever divorces his wife for the cause of fornication and marries another does not commit adultery" (Martin Chemnitz, Examination of the Council of Trent - Part II, trans. Fred Kramer (St. Louis: Concordia Publishing House, 1978), p. 748).

On the basis of our examination of Paul's two-verse summary of the Lord's teaching in 1 Cor. 7:10-11, we now proceed to look at Paul's formulation of the principles he states he has received from the Lord, noting how it matches with the elements summarized above. Our ultimate aim is to see how the apostle applies these principles to the situation mentioned in verses 12-16.

Paul's Formulation of the Lord's Principles

We have noted above, first of all, that Jesus judged the act of divorce itself, apart from remarriage, as contrary to the Creator's intent for marriage. While making no appeal to the account of creation, Paul states categorically, in keeping with Jesus' prohibition "What therefore God has joined together, let not man put asunder," that there is to be no divorce among Christians: "To the married I give charge, not I but the Lord, that the wife not separate from her husband . . . and that the husband should not divorce his wife." Paul's formulation of Jesus' prohibition of divorce in these words raises two questions which, we would submit, are crucial for a later evaluation of what the apostle teaches in verses 12-16. Is Paul speaking of the actual dissolution of the marriage relationship by the two terms he uses in verses 10-11? In the paragraphs that follow, it is our contention that the terminology Paul uses, though it does not correspond exactly to that employed by Jesus, refers to divorce throughout the pericope under discussion, not separation.¹¹ Secondly, what is the implication of the imperatival form of Paul's prohibition? It is suggested below that care must be exercised when applying the imperatives of Paul and Jesus to the issue of indissolubility. We now

¹¹New Catholic Encyclopedia, s.v. "Pauline Privilege," by R. Kugelmann, 11:27-28.

proceed to examine these two inquiries.

In 1 Cor. 7:10-16 Paul uses two terms to refer to the severance of the marital union: χωρίζω and ἀφίημι . By way of background, we discover that neither of these terms occurs in the Septuagint as a term for divorce or the separation of a spouse.¹² Rather, the Septuagint translators chose the terms ἐκβάλλω¹³ and ἐξαποστέλλω .¹⁴ Since both of these words are extremely common in the Septuagint in their normal meanings, it can be said that there is no technical vocabulary for divorce in the Greek Old Testament. Neither ἐκβάλλω nor ἐξαποστέλλω appears in the New Testament for divorce.¹⁵ Even when Deut. 24:1, 3 is mentioned by Jesus in Matt. 19:7 and Mark 10:4, ἀπολύσαι occurs where one would expect ἐξαπεστείλειν .¹⁶ Thus, since the language employed

¹²There is some question whether μετὰ τὴν ἀφῆσιν in Exodus 18:2 is a reference to divorce in the story of Jethro, who "had taken Zipporah Moses' wife, after he had sent her away." David Daube has pointed out, however, that it is far from certain that the Septuagint translators rendered ה'יְהוָה וְיִצְחָק with divorce in mind (David Daube, The New Testament and Rabbinic Judaism [London: The Athlone Press, 1956], p. 369).

¹³Sarah told Abraham of Hagar, "Cast out this slave woman . . ." (Gen. 21:10). In Lev. 21:7, 14 and Ezek. 44:22 a priest cannot marry a divorced woman. A divorced daughter of a priest who has no child is allowed to return to her father's house and eat there (Num 30:9). In each of these cases ἐκβάλλω translates ה'יְהוָה , "to drive away," "expel." A divorced woman is βεβλεμένη (Qal participle of ה'יְהוָה). Cf. Prov. 18:22; 24:58 (30:23 in Hebrew), Ezra 10:3; Sirach 7:26; 28:15.

¹⁴Ἐξαποστέλλω translates ה'יְהוָה in Deut. 22:19, 29; 24:1-4; Jer. 3:1 and Mal. 2:16. I. H. Marshall, in his article on divorce in The New International Dictionary of New Testament Theology, 1:505, is in error when he cites Deut. 24:1-4 as one of the texts in which ἀπολύω occurs. Ἐξαποστέλλω , not ἀπολύω , is used in this passage!

¹⁵Daube suggests that the New Testament writers had to reject "the terminology of the Septuagint in order to avoid misunderstanding and bring the language up to date" (Daube, pp. 369-70). We observe that it is not a question of the writers bringing language up to date as part of a mere editorial process, but of their recording the historical situation.

¹⁶For the sake of completeness, we add here a note on divorce terminology in Philo and Josephus (We are indebted to Daube for his careful

Paul and by Jesus as recorded in the Gospels does not correspond to that found in Septuagint, we cannot draw any conclusions on this basis regarding the meaning of Paul's terms.

The word *χωρίζω*, apart from the four times in our pericope, occurs only two other times in the New Testament in reference to the breaking of marriage,¹⁷ and that in the saying of Jesus given at Matt. 19:6 and Mark 10:9: ὁ οὖν ὁ θεὸς συνέζευξεν ἄνθρωπος μὴ χωριζέτω.¹⁸ Here *χωρίζω* appears to be used by Jesus in a broader sense to any severance of the marital union, while *ἀπολύω*, the technical term for divorce,

summary, pp. 369-72). Philo uses neither *ἐκβάλλω* nor *ἐξαποστέλλω*, but *ἀπαλλάττεσθαι* of the wife who 'leaves' her husband. She may do so because her husband dismisses her or because they agree to part company. If he falsely accuses her of not being a virgin at marriage, she may leave him without his consent (*Special Laws*, 1.9.305; 3.5.30; 3.14.82). *Παρατεῖσθαι* may be used for divorce at *Special Laws*, 3.11.70. He says that he who has illicit intercourse with a virgin must marry her and nothing but death "will dissolve (*διαξενύξει*) the marriage." Philo's nouns are *διάξενυξις* and *ἀπαλλαγή*, both referring to the husband's initiative (*Special Laws*, 3.14.80).

Josephus uses *ἐκβάλλω* once of Herod's expulsion of his wife. Of his own wife, he states that she "left" him (*Life of Flavius Josephus*, 75.415) (*ἀπηλλάχθη*) (Daube thinks probably he divorced her eventually.) Josephus also has *ἀποπεμπέσθαι* (mid.) for "dismissing one's wife" (*Jewish Antiquities*, 4.8.23.247; 16.7.3.198; *Life* 76.426), once of his own, with whose behavior he was dissatisfied (making him no doubt of Hillelite persuasion). In describing Herodias' departure, *διαστῆναι* (*Ant.* 18.5.4.136) is selected. Salome (*Ant.* 18.5.4.136) is selected. Salome (*Ant.* 15.7.10, 259-60) went so far as *πέμπειν γραμμάτων ἀπολυουμένην τὸν γάμον*, "to send a document, by which she dissolved the marriage," and *προαπαγορεύειν τὴν συμβίωσιν*, "to renounce the union." Josephus, in keeping with rabbinic law, remarks how such action would be taken by the husband.

¹⁷Cf. Acts 1:4; 18:1, 2; Rom. 8:35, 39; Philemon 15; Heb. 7:26, where the term has the non-technical meaning "to separate" or "depart."

¹⁸With few exceptions (Cf. KJV and RSV), most modern versions translate *χωρίζω* in these texts with "separate." The term no doubt has a double nuance in Christ's saying. It means "to put asunder" in a general sense, but also in the more specific sense of "to separate from husband and wife" (Daube, pp. 368-69; Also, David Daube, "The New Testament Terms for Divorce," *Theology* 47 (March 1944):65-67).

designates the legal act of putting one's spouse away. Not used by Paul, this latter term occurs thirteen times in the Gospels.¹⁹ It appears in the active voice both of the husband (Matt. 5:31-32; 19:9 and parallels) and of the wife (Mark 10:2), and in the perfect passive of the divorced woman (Matt. 5:32; Luke 16:18). Deliverance of the bill of divorce²⁰ confirms the legal significance of the term²¹ (Matt. 5:31). A recent Greek papyrus discovery, writes Joseph Fitzmyer, "should put to rest any hesitation about whether the Greek verb apolyein could have meant 'divorce' in the Greek of Palestine in the period in question."²² It is surprising that Paul, claiming to impart a logion of the Lord to the Corinthians, does not make use of this technical term.

In light of the above observations, what are we to make of the way the apostle speaks of the break-up of marriage terminologically? Are the terms employed by Paul, in the final analysis, both a reference to the act of divorce? Our study has led us to the following conclusions. With respect to verses 10-11, it is certainly legitimate to raise the possibility

¹⁹Matt. 1:19; 5:31; 19:3,7,8,9; Mark 10:2,4,11,12; Luke 16:18.

²⁰The ἀποστάσιον (Matt. 5:31) or βιβλίον ἀποστασίων (Matt. 19:7-9; Mark 10:4; Septuagint of Deut. 24:1-4) refers to the sefer keritut, "document of sundering." This latter term also occurs in the sense of a divorce certificate in Is. 50:1 and Jer. 3:8. The discussion regarding the formulation and execution of this writ in Judaism makes it clear that its deliverance was a legal act of considerable significance; it provided for the wife's release from her husband and thus guarded her against the charge of adultery, should she remarry (Strack-Billerbeck, 1:303-21; TDNT, s.v. βύβλη, by Albrecht Oepke, 1:783).

²¹Hammond, pp. 131-53.

²²Fitzmyer, p. 212. Fitzmyer refers to a text from Murabba'at Cave II from the Bar Cochba period, dated 124 A. D., where ἀπολύειν clearly means "divorce." He also cites the familiar Hellenistic parallels Dionysius of Halicarnassus (Rom. Ant. 225.7) and Diodorus Siculus (Libr. hist. 12.18.1-2).

that Paul may have had some reason to use *χωρίζω* only of the woman and *ἀφίημι* only of the husband, a distinction consistently maintained by the English versions. Most commentators suggest that Paul, in speaking to couples not living in mixed marriages, was reflecting the rabbinic way of talking about divorce.²³ That is, *ἀφίεναι* came much closer to what took place when the Jewish husband expelled, dismissed or let go his wife. Moreover, since in Jewish law the wife could not ordinarily send her husband away, except through the court, *χωρίζω* reflected the situation whereby the woman goes away or separates. The above distinction is possible and may reflect Paul's rabbinic training, for to view *χωρίζω* in this verse as a reference to the more or less passive nature of the woman's part in divorce (reflecting Jewish procedure) may point to the fact that the home belongs to the husband and therefore she goes away²⁴ or separates herself as he sends her away.

In the final analysis, however, it is difficult to know how far we can press the above distinction. We would urge caution, for it is clear that later in our pericope (12-13, 15) the terms are interchangeable.²⁵ Moreover, the passive *χωρισθῆναι* may not refer strictly to the

²³See, for example, J. S. Ruef, Paul's First Letter to Corinth (Aylesburg, England: Hazell Watson and Viney Ltd., 1971), p. 56; C. K. Barrett, p. 162; A. Schlatter, Paulus Der Bote Jesu, p. 221.

²⁴Robertson and Plummer, p. 140; Philipp D. Bachmann, Der Erste des Paulus an die Korinther (Leipzig: A. Deichertsche Verlagsbuchhandlung, 1921), p. 264.

²⁵Cf. R. C. H. Lenski, The Interpretation of St. Paul's First and Second Epistle to the Corinthians (Columbus: Lutheran Book Concern, 1935), p. 286. Lenski has correctly noted that "While the wording is different, *μη χωρισθῆναι* to indicate the activity of a wife, and *μη ἀφίεναι* to state the action of a husband, the substance of the commands is the same, for in v. 13 and 15 the verbs are reversed. The Greek offers a choice of verbs.

passive side of the husband's behavior at all, for it would not be out of order to translate the verb in the middle, "to let oneself divorce," or even in the active.²⁶ In any case, both terms, however, refer not to separation, but to divorce - the cessation of the marriage.²⁷

That Paul had in mind actual divorce in 1 Cor. 7:10-11, and not mere separation, is confirmed by evidence from Hellenistic sources. The term χωρίζω was a technical term for divorce throughout the Mediterranean region at the time of Paul. This has been established beyond doubt from the Greek papyri.²⁸ Moreover, the term had a previous history with

²⁶Greeven, p. 118; Cf. BLDF, 392, 4; Rob., pp. 816-818; H. Lietzmann says, "Das choristhenai muss parallel dem aphienai v. 11 die active Handlung der Scheidung bedeuten" (An Die Korinther I-II in Handbuch zum Neuen Testament, Vol. 9 [Tübingen: J. C. B. Mohr, 1949], p. 31). It should be noted that instead of χωρισθῆναι, Codex Alexandrinus, Bezae, G. and a few other witnesses, and Origen have χωρίζεσθαι.

²⁷Daube, Rabbinic Judaism, p. 362. J. K. Elliott, "Paul's Teaching on Marriage in 1 Corinthians; some problems considered," New Testament Studies 19 (January 1973):219-25. Elliott extends the distinction too far, thus placing himself in the position of making χωρίζω in 1 Cor. 7:15 refer only to separation from bed and board.

²⁸M-M, pp. 695-96. M-M have cited papyri from the period 13 B. C. to 81 A. D. in which χωρίζω is used in connection with divorce. Adolf Deissmann, in his Bible Studies (Edinburgh: T. & T. Clark, 1909), page 247, states: "χωρίζουαι. As in 1 Cor. 7:10,11,15, a technical expression for divorce also in the Fayyum Papyri. In the marriage contracts there are usually stated conditions for the possibility of separation; these are introduced by the formula ἐὰν δὲ [οἱ γαμοῦντες] χωρίζανται ἀπ' ἀλλήλων. . . ; Thus Bil. 256, 6 (81 A. D., restoration uncertain), 252,7 (98 A. D.), PtR. XXIV.27 (136 A. D.), xxvii. 16 (190 A. D.)." Interestingly, Deissmann says in his article on "Papyri and Ostraca" in Dictionary of the Bible, ed. James Hastings (New York: Charles Scribner's Sons, 1909), p. 678: "But we may assume that the civilization of the Imperial Age was tolerably uniform throughout the whole range of the Mediterranean lands and that if we know the Egyptians of the time of St. Paul, we are not far from knowing the Corinthians and the men of Asia Minor of the same period. And thus we possess in the papyri, as also in the inscriptions, excellent materials for the re-construction of the historical background of primitive Christianity."

this meaning during the classical period.²⁹

Occurring less frequently of divorce in the early literature (unattested in the papyri) is ἀφίημι, though clearly with the meaning "to put away," "divorce".³⁰ More common among the Greeks than ἀφίημι was the term ἀποπέμπω and its Latin counterparts.³¹

²⁹Isaei, Orationes, 8:36; Polybius, Histories, Book 31, 26.

³⁰A Lexicon, Abridged from Liddell and Scott's Greek-English Lexicon (London: Oxford Clarendon Press, 1958), p. 120; BAGD, page 125, cite one reference, Herodotus 5, 39. Bachmann, p. 264, also cites Euripides, Andromache, 973. Fitzmyer, p. 212, cites Plutarch, Pomp. 44.

³¹A common term for divorce action in Greek literature is πέμπω, with the noun ἀποπομπή (of the man; ἀπόλειψις, usually of the woman). (Cf. Hans Conzelmann, A Commentary on the First Epistle to the Corinthians, trans. James W. Leitch and ed. by George W. MacRae (Philadelphia: Fortress Press, 1975), p. 120; Oepke, p. 778. Among the Greeks of Paul's day divorce, not uncommon, "occurred by common consent, or by the unilateral action of the husband (ἀποπέμπω) or the wife (ἀπολείπω τὸν ἄνδρα) after the sending of an official notice, or by simple declaration before a judge, or even through third parties" (Oepke, p. 778). Daube observes that "in some Greek states the women from early times seem to have enjoyed the same rights in regard to divorce as the men. At any rate in Greek law of the papyri, of particular importance in this connection, as a rule either party might dissolve the union" (Daube, Rabbinic Judaism, p. 363).

The Roman sources speak regularly of expellere, dimittere, and exigere when the husband divorces his wife, and abire and descedere when the wife divorces her husband, Daube says (p. 364-65). Under Roman law both husband and wife on slender grounds by simple declaration of intent and with minimal legal requirements, could dissolve the marriage (Oscar Watkins, Holy Matrimony [New York: The Macmillan Company, 1895], p. 192). Daube, as Watkins, notes that the kind of marriage where the wife came into the manus of her husband (came out of her family into her husband's potestas) could be dissolved only by the husband. But marriages without manus were no doubt more frequent in Paul's time (Daube, p. 363). In the imperial period, divorce could be entirely informal, though after the issuance of Lex Julia de Adulteriis (17 B. C.) a bill of divorce was required before witnesses (Watkins, p. 193; Cf. Mary R. Lefkowitz and Maureen F. Fant, Women in Greece and Rome [Toronto and Sarasota: Samuel-Stevens, 1977], pp. 139-45). The Lex Julia de Adulteriis, passed by Augustus, made adultery a penal offence, punished offenders by banishment, and forbade the husband to pardon or dismiss the matter (TDNT, s.v. μοιχεύω, by Friedrich Hauck, 4:733).

On the basis of this review of the divorce word group, it appears that in 1 Cor. 7:10-11, where Paul imparts Jesus' teaching, he may well have been reflecting the Jewish situation in which a distinction was made between the role of the husband and the wife in the divorce procedure. However, in both cases the language designates the act of terminating the marriage.³² In 1 Cor. 7:12-16, where Paul addresses the question of mixed marriages, he employs *χωρίζω* and *ἀφίημι* interchangeably. This suggests that the rabbinic distinction was ultimately of little significance, for Paul speaks of the possibility of divorce as pertaining equally to the Christian husband and wife in the Hellenistic setting. It should be noted in this connection that in the Gospel of Mark the prohibition of divorce by Jesus assumes the same equal prerogatives of husband and wife (10:11-12) in the procedure whereby the spouse is released from the marriage.

Before we proceed to a second observation concerning the way Paul formulates Jesus' teaching on divorce and remarriage, it is necessary to assess the significance of the imperatival form of both Jesus' and Paul's instruction. It has been customary within some circles of the Christian tradition to declare on the basis of this instruction that the bond of matrimony cannot be dissolved when it comes to baptized Christians, even if adultery is committed.³³ Roman Catholic exegetes have held, for instance, that the basis of absolute indissolubility is to be found in Christian baptism and that marriage is a reality that includes a religious

³²In concluding that *χωρίζω* and *ἀφίημι* were technical terms for divorce, we are not saying that they were legal terms in the modern sense, according to which court action is necessary for the dissolution of the marriage. In fact, during the Greek and Roman period contemporaneous with Paul divorce could be a relatively informal affair, with minimal legal requirement (Conzelmann, pp. 120-121).

³³Cf. Chemnitz's Commentary on Trent's Canon VII, p. 745.

relationship with God.³⁴ Edward Schillebeeckx argues that Christian baptism or the believer's relationship to Christ "confers" upon marriage a "real and indissoluble bond." Thus, marriage "is formally indissoluble as far as a baptized person is concerned." Hence, 1 Cor. 7:15 is for Schillebeeckx the "strongest biblical basis" for the "sacramental aspect" of marriage: a union with an unbaptized person lacks sacramental character and thus indissolubility.³⁵

It is our contention that this position goes beyond the words of Jesus and of Paul. Jesus, in view of the one flesh union of marriage, taught that man must not put asunder what God has joined together. Similarly, the apostle Paul commands (παραγγέλλω) what should not be done, not what cannot be done. Brian Byron, the Australian Roman Catholic theologian, has demurred relative to the position of his church and has observed with respect to Jesus' teaching on divorce that marriage must be understood not as an ontological union, but a moral one:

Nor does he (Jesus) speak of indissolubility, which means literally "impossibility of being dissolved." Jesus does not say the union cannot be dissolved; He says "What God has joined, let no man separate." Indeed, the prohibition itself implies that it can be sundered.³⁶

This qualification does not make the dominical prohibition of divorce less stringent. Rather, it admits the possibility that marriage can in fact come to an end and be broken by divorce. Whether one is permitted in God's sight to obtain a divorce and to remarry depends on whether there existed

³⁴E. Schillebeeckx, Marriage: Human Reality and Saving Mystery, trans. N. D. Smith (New York: Sheed and Ward, 1965), p. 154.

³⁵Ibid., pp. 157-59. Cf. New Catholic Encyclopedia, s.v. "Marriage, Canon Law of," by J. R. Schmidt, 9:271-74.

³⁶Byron, p. 436.

Scriptural grounds for divorce. The distinction between what cannot be done and what must not be done is an important one because not every remarriage of divorced Christians may be regarded as necessarily contrary to the Lord's will or adulterous. If this were the case, then it would be necessary to conclude a priori that the deserted Christian spouse in verses 12-16 cannot remarry without violating God's will regarding the permanence of the marital union. As we shall see in the next chapter, this view is difficult to sustain on the basis of what Paul states in 1 Cor. 7:15.

Earlier in this chapter a second element of Jesus' teaching on divorce and remarriage is summarized as follows: That a person who divorces a spouse for any other reason than unchastity (πορνεία)³⁷ and marries another, commits adultery. Anyone who marries such a person also commits adultery. It has been widely noted that the apostle in 1 Cor. 7:10-11 allows no exceptions to the principle given by Jesus that divorce is contrary to the will of God. Absent from the apostle's instruction for Christian couples is the question of what constitutes legitimate grounds for divorce, the inquiry which gave rise to Jesus' response in Matthew 19.³⁸ There is no hint in 1 Cor. 7:10-11 that Paul is engaging in a legal discussion of this kind.

³⁷Cf. note 7. Also, Rudolf J. Ehrlich, "The Indissolubility of Marriage As A Theological Problem," Scottish Journal of Theology 23 (August 1970):291-311.

³⁸In Palestine at the time of Jesus the right of divorce in the rabbinic debate was pre-supposed as self-evident, since according to Deuteronomy, it was agreed, Moses had commanded (ἐνετείλατο, Matt. 19:7; δότω, Matt. 5:32) the letter of divorce. The only uncertainty existing concerning this was which ground entitled the man to the dissolution of the marriage. The κατὰ πάντα ἀντίον is, as we have noted, an allusion to the Hillelite interpretation of Deuteronomy 24, thus framing the discussion around the question of just cause.

Why does the apostle not mention the exception present in Matthew's account of Jesus' teaching on divorce and remarriage? It is usually argued by critical scholars that Paul does not seem to know that Jesus made any exceptions from the rule that marriage is indissoluble because the exceptive clauses of Matthew were not part of the genuine tradition of Jesus' teaching and therefore were not in Paul's sources.³⁹ Thus, we encounter in 1 Cor. 7:10-11 only Jesus' instruction on the indissolubility of marriage in its original stringency as given in the accounts of Mark and Luke. The exceptive clauses, it is commonly held, are not part of the ipsissima verba of Jesus, but represent an interpretive gloss inserted at a later time by the early church through the pen of Matthew or an editor of the Gospel.⁴⁰ Suffice it to say on this point that the rejection of the genuineness of the exceptive clauses rests not on the textual tradition of the Gospels, but on an analysis of the supposed traditioning process behind the Gospel accounts. Since the manuscript evidence for the clauses is firm, there is no reason to doubt their authenticity as a genuine element of Christ's teaching.⁴¹ The objection that as an

³⁹E.g., Robertson and Plummer, pp. 140-41.

⁴⁰Fitzmyer has correctly noted that few critical commentators today would maintain that the exceptive clauses go back to Jesus Himself. The vast majority hold that the clauses represent an attempt to resolve a problem in the community for which the Evangelist or editor was writing (Fitzmyer, p. 208). Willoughby Allen (A Critical and Exegetical Commentary on the Gospel According to St. Matthew in The International Critical Commentary [Edinburgh: T. & T. Clark, 1907], pp. 202-203), for example, supposes that "in view of the other features of the Gospel, it is probable that the editor was a Jewish Christian who has here judaised, or rather rabbinized Christ's sayings . . . (the editor) has so shaped Christ's teaching about divorce as to make it consonant with the permanent validity of the Pentateuchal law, and harmonious with the stricter school of Jewish theologians."

⁴¹See note 7 and reference to Hauck and Schulz, p. 591.

historically conditioned concession the clause cannot be squared with Christ's absolute prohibition of divorce in Mark and Luke must be met by the affirmation that as God's Word the Gospels do not present contradictory views of what Jesus taught.⁴²

The question of Paul's silence regarding the clause on fornication is best resolved by considering the context of Paul's rejection of divorce. In light of the problems which πορνεία in this congregation had caused (1 Cor. 5, 6; 2 Cor. 12:21) and Paul's exhortation that the Corinthians secure a spouse in marriage because of πορνεία and its attendant vices,⁴³ it is understandable that Paul's purpose would be best served by not entering into a discussion of legitimate grounds for divorce, namely, πορνεία. The Corinthians needed to be dissuaded from rather than in any way encouraged to divorce. John Murray has aptly summarized why Paul had good reasons for not bringing within the range of his instruction the provisions that apply in the case of adultery on the part of a spouse:

In the preceding verses the great burden of Paul's exhortations is the means God has provided for the prevention of fornication. "But on account of the fornications let each man have his own wife, and let each woman have her own husband" (vs. 2). "Do not defraud one another, except it be by consent for a season in order that ye may give yourselves to prayer and be together again, lest Satan tempt you on account of your incontinence" (vs. 5). He is stressing the ordinance of marriage and the conjugal debt that is owing within the married relationship as the divine provisions for the prevention of sexual uncleanness. Furthermore, he is writing to the Corinthians

⁴²William F. Arndt (Bible Commentary: The Gospel According to St. Luke [St. Louis: Concordia Publishing House, 1956], p. 362) illustrates the way to proceed, given this presupposition: "Jesus here in Luke, as well as in Mark 10:11f., states the general principle and makes no exceptions. In the passage found in Mt.'s Gospel the presentation is somewhat more complete and the exception which God allows is included."

⁴³BAGD, p. 693, note that the plural πορνείας "points out the various factors that may bring about sexual immorality."

as believers who are cognizant of, and will be expected to be responsive to, the demands of the Christian ethic. He is pleading for the claims of honour, purity and piety in that relationship which had been so grossly desecrated in their pagan antecedents and environment. When all of this is duly assessed we can readily see how incongruous it might be for the apostle in such a context to introduce the question of the provisions that hold when the marital relation is desecrated by sexual infidelity.⁴⁴

All of this is to say that we must be cautious not to make Paul say any more or any less than the text allows us. The principle taught by the apostle is that there is to be no divorce; no loopholes are given. We submit, however, in light of the above that Paul's silence concerning the exception noted by Jesus should not be utilized as an argument to support the conclusion that marriage cannot be broken, as in the case of πορνεία.

Returning again to the second element of Jesus' teaching summarized above, we observe, first of all, that when Paul discusses the question of remarriage in 1 Cor. 7:10-11 he makes no reference to commandment of the decalogue prohibiting adultery as does Jesus. Nothing is said concerning the nature of the act of divorce and remarriage by a Christian in light of command "You shall not commit adultery." However, the apostle does teach that in principle the remarriage of a Christian spouse who has divorced his/her spouse is proscribed by the teaching of the Lord. The apostle sets forth this principle in the following words of verse 11a:

ἐὰν δὲ καὶ χωρισθῇ, μενέτω ἄγαμος ἢ τῷ ἀνδρὶ καταλλαχῆται.

Paul's words here are regarded by some scholars as "parenthetical" in the sense that they are to be regarded as a Pauline alteration (The Pauline Parenthesis") of the dominical principle that marriage is to

⁴⁴Murray, Divorce, p. 57.

remain a life long union of husband and wife,⁴⁵ and therefore are part of the "traditioning process" due to the church's inability to live with Christ's teaching on indissolubility.⁴⁶ David Dungan, for example, has stated that this parenthesis forces us to "somehow explain the fact that Paul's application is in flat contradiction to the command of the Lord, which is a strict prohibition of divorce."⁴⁷

In an effort to remove the alleged contradiction between the Lord's strict prohibition of divorce and Paul's comment, some commentators have taken the conditional clause $\epsilon\acute{\alpha}\nu \delta\epsilon \kappa\alpha\iota \dots$ as a reference to a past event, not to a future possibility. Thus, Paul, it is said, is not imparting a principle that concedes the possibility that divorce will occur, but must deal with what has already happened.⁴⁸

Apart from the fact that there is no indication that Paul viewed his words in 11a as his own commentary in distinction from the words of Jesus, there is no reason to believe Paul is diminishing the force of Lord's command. Grammatically, the clause probably refers not to something in the past, but to a future event. The normal sense denoted by $\epsilon\acute{\alpha}\nu$ with the aorist subjunctive is that of a definite event occurring once in the future, before the action of the main verb (very near the meaning of $\acute{o}\tau\alpha\iota$).⁴⁹ Paul would then be admitting a future eventuality.

⁴⁵E.g., Bornkamm, "Die Stellung des N.T. zur Ehescheidung," pp. 283-85.

⁴⁶Soulen, "Marriage and Divorce - Problem in New Testament Interpretation," pp. 444, 449. Cf. J. Weiss, Der Erste Korintherbrief (Göttingen: Vandenhoeck & Ruprecht, 1910), pp. 178-79.

⁴⁷Dungan, p. 93.

⁴⁸Cf. Bachmann, pp. 264-65; Lietzmann, p. 31; Wendland, p. 57. Conzelmann, p. 120.

⁴⁹Moulton, Vol. III, p. 114.

The adversative force of $\delta\epsilon$ $\kappa\alpha\iota$ suggests that this is Paul's meaning.⁵⁰ The important consideration here, however, is that in foreseeing because of human sinfulness that divorce may occur Paul is not admitting that it is, therefore, permissible for Christians. Rather, he is by this conditional clause establishing a general principle that applies in the case of all divorce between Christians, past and future, and that underlines the Lord's will that marriage is to remain unbroken. The two imperatives in the apodosis of Paul's condition are not to be construed as granting permission for divorce.

The Christian wife (and by inference the Christian husband) who divorces her husband is to remain unmarried or be reconciled. This exhortation underscores the seriousness of divorce. On the one hand, the apostle states that the spouse initiating divorce is to remain $\acute{\alpha}\gamma\alpha\mu\omicron\varsigma$. This term occurs only four times in the canonical Scripture,⁵¹ and that in 1 Corinthians 7. While $\acute{\alpha}\gamma\alpha\mu\omicron\varsigma$ is a broad word denoting all who are not in the married state (single and widowed men and women, verses 8 and 32; single women, verse 34), in 1 Cor. 7:11 $\acute{\alpha}\gamma\alpha\mu\omicron\varsigma$ is more specifically that state which follows the action described in $\chi\omega\rho\iota\sigma\theta\eta\acute{\iota}$, that is, divorce. (The apostle would hardly say to "the married" "remain unmarried" if he were simply referring to separated couples who had not experienced divorce.) The apostle is clearly saying that the spouse who divorces the partner should not remarry. The only other option open is that such a one be reconciled to the abandoned spouse.

⁵⁰Frederic Louis Godet, *Commentary on First Corinthians* (Grand Rapids: Kregal Publications, 1977), p. 334. Godet translates: "but if even . . ." Barrett, p. 162, translates: "If a separation does take place . . ."

⁵¹Cf. 4 Macc. 16:9.

That the apostle is underscoring the permanence of the marital bond is further shown, therefore, by his demand that the woman who has left her husband must be reconciled to the husband.⁵² Such a strict requirement may well have gone beyond what those addressed by Paul in 1 Cor. 7:10-11 deemed possible. While Roman law allowed reunion by common consent after divorce, even if the bill of divorce had been served (provided the cause was not a criminal act),⁵³ reconciliation on the part of those with Jewish background would not be expected without further legal formalities.⁵⁴ In any case, restoration of the broken marriage, despite whatever legal technicalities may have been involved, must be the goal of the Christian.

The third element of Jesus' teaching on divorce has been summarized in this way: In the case of the one whose spouse commits fornication, which breaks the unity of the marriage, the offended and abandoned party whose marriage has been broken has the right, though not the mandate, to obtain

⁵²Of the six times *καταλλάσσω* occurs in the New Testament (Rom. 5:10; 1 Cor. 7:11; 2 Cor. 5:18, 19, 20) only in 1 Cor. 7:11 does the term denote the reconciliation of men with one another (though the related term *διαλλάσσω* does have this meaning in Matt. 5:24). The term denotes in classical Greek "the restoration of the original understanding between people after hostility or displeasure (Xen, *Anab.* 1, 6, 1; Eur. *Helena* 1235; Aristotle, *Oeconomia*, 1348b, 9). (*The New International Dictionary of New Testament Theology*, s.v. "Reconciliation," by H. Vorländer and C. Brown, 3:166 ff.) F. Büchsel (*TDNT*, s.v. *καταλλάσσω*, by Friedrich Büchsel, 1:255) has cited a reference in Papyrus Oxyrhynchus, 104, 27, where *καταλλάσσειν* is the term for reconciliation of married couples who have parted (*ἀπαλλάσσειν*).

⁵³Dungan, p. 92.

⁵⁴Strack-Billerbeck state: "The reconciliation of the married couple was according to Jewish law still possible without further formalities after the execution of the letter of divorce, provided the certificate of divorce had not reached the hand of the wife or her attorney. The husband had only to declare the certificate of divorce invalid" (3:373-74). But once the letter was delivered into her hand, it was quite another matter. (1:308-11)

a legal divorce and may remarry. The discussion above in this chapter has indicated that Paul mentions no exceptions to the principle that the Lord prohibits divorce and remarriage on the part of Christians who secure a divorce. It is reasonable to suppose the reason for this is that Paul is not addressing a situation in which fornication was the issue as a ground for divorce. If the husband were guilty of this sin, he would have been required by the apostle to amend the situation. In summary, Paul's formulation of the Lord's teaching in 1 Cor. 7:10-11 says nothing about options that may or may not be open to the party suffering divorce.

Summary Statement

As a result of our study of the way Paul formulates the teaching of Jesus on divorce and remarriage, we make the following concluding remarks. With respect to the act of divorce, Paul, though not including Jesus' appeal to the Creator's intent for marriage declares divorce contrary to the Lord's teaching. Technical vocabulary is employed to condemn the act of divorce, not mere separation. Divorce marks the end of the marriage, though it does not make reconciliation necessarily impossible.

Like Jesus, Paul does not formulate the issue in such a way as to suggest that there is some kind of an ontological bond that cannot be broken except by the death of one's spouse, meaning that all remarriage is by definition impossible during the lifetime of the partner. Paul enters into no philosophical discussion regarding the essence of marriage as metaphysically indissoluble. Marriages do break, but the moral principle is that marriage must not be broken by Christians.

Paul mentions no exceptions to the absolute prohibition. Jesus allowed porneia as a legitimate grounds for divorce in his confrontation with Jewish legalism as he applied the Creator's will for marriage to the

question of divorce. Paul is not engaged in a discussion of the legitimate grounds for divorce. Rather, he seems to be responding to some statement in favor of divorce itself, apart from any considerations of legitimate grounds. To mention the exception allowed by Jesus would only have weakened his case at this point for marriage as a God pleasing estate intended for permanence.

The absolute nature of Paul's prohibition is underscored by his command that a Christian who divorces a spouse (presumably for reasons other than porneia) should remain unmarried or be reconciled to the abandoned spouse. No other option exists for the one claiming to be under the authority of the Lord's will for marriage. The apostle does not discuss the status of the spouse who has suffered divorce or abandonment on the part of his/her spouse.

CHAPTER IV

AN ANALYSIS OF 1 CORINTHIANS 7:12-16

Robert Campbell has said of 1 Cor. 7:12-16, "This has become one of the Pauline passages around which a storm of scholarship relative to divorce has arisen."¹ The storm center around which the debate swirls is what appears to be a declension from the absolute demand of the Lord (verses 10-11) that there is to be no divorce on the part of Christians. Or, to continue the metaphor, Paul seems to be moving from a high pressure command that marriage under no conditions be broken to a low pressure permission that in the case of an unbeliever who departs the believer may concede a divorce, and possibly remarry. The eye of the storm is what the apostle says in 1 Cor. 7:15.

At the practical level, the issue at stake is whether a Christian may with good conscience secure a legal divorce in those cases where desertion has occurred, and then remarry. Much hinges on how one is to understand "is not bound" in 1 Cor. 7:15. Does the expression mean release from the bond of marriage, but not the freedom to remarry - in which case the principle enunciated by Paul in verse 11 that Christians are not to remarry applies also in the case of a Christian in a mixed marriage who has been abandoned? Or, does the expression not refer to release from the marital union at all, but only to release from the obligation to maintain

¹Robert C. Campbell, "Teachings of Paul Concerning Divorce," Foundations 6 (October 1963):363.

cohabitation, in which case remarriage is not allowed since the marriage in fact still exists? These are the fundamental questions we must face as we look at the text before us.

1 Corinthians 7:12-14

It is our contention, first of all, that the principle² which Paul established in verses 12 and 13 - equally to Christian spouses of either sex - is consistent with what is said in verses 10-11. In those cases where an unbeliever consents to live with the believer, the believer is not to send away³ such a one. The apostle stresses here that the continuance of marital life depends on the will of the unbelieving spouse.⁴ The

²The grammatical structure of these verses is that of a condition of reality (Cf. BLDF, pp. 371-72; Zerwick, pp. 304-12). The apostle, therefore, is establishing a principle by which his readers are to be guided, whether they have married an unbeliever, or whether they will marry an unbeliever. Paul's "real condition" assumes nothing concerning the fulfillment or nonfulfillment of the case in question. Moreover, the fact that Paul states "If any brother (τις ἀδελφός) . . ." gives the principle universal applicability. Thus, while Paul may be addressing those who became Christians subsequent to their marriage to an unbeliever, the apostle's counsel may be applied to all marriages between Christians and non-Christians, whether they occurred before or after the believer's conversion. The apostle does not prohibit such marriages, but only divorce at the initiative of the believer.

³Cf. Chapter II, note 29.

⁴Heinz-Dietrich Wendland, p. 57. Wendland puts it, "Paulus macht aber den Fortbestand dieser Mischehen mit seinem Takt von dem Willen des ungläubigen Ehepartners abhängig." Translation: "But Paul tactfully makes the continuance of this mixed marriage dependent on the will of the unbelieving marriage partner."

consent⁵ to cohabit⁶ in marriage constitutes what is sufficient for the continuance of the marriage. The Christian is not allowed to withdraw consent and must not be responsible for destroying the union by means of divorce. One cannot infer from these verses themselves that if the unbeliever withdraws consent, the believer is then free to dismiss the spouse. If this latter situation arises, then the principle enunciated by Paul in 7:15 comes into play, as we shall see below.

In emphasizing that the Christian party must not initiate divorce, the apostle may have been distancing himself from an ascetic tendency to make the pursuit for a fuller religious life a more lofty undertaking than keeping the commitments of marriage, and especially the tendency to regard marriage to a pagan spouse as an impediment to such a quest. That Paul is likely responding to such an impulse in Corinth is suggested by the apostle's use of *ἄρ* in verse 14. This particle implies that his counsel in verses 12-13 was directed specifically at those who

⁵The compound *συνευδοκέω* may well have perfective force and be translated "is quite content" (Cf. Bruce M. Metzger, *Lexical Aids for Students of New Testament Greek* [Ann Arbor: Cushing-Malloy, Inc., 1960], p. 109; C. K. Barrett, p. 164). The word occurs elsewhere in the Greek Bible only in the New Testament at Luke 11:48, Acts 8:1; 22:20, and Rom. 1:32 in the sense of approval of the deeds of another.

⁶Paul's use of *οἰκέω* with reference to cohabitation in marriage is not unattested in Greek literature. It is found in this sense in Sophocles' *Oedipus Rex*, 990, and a papyrus dating B. C. 92 (M-M, p. 440). Christian Maurer (TDNT, s.v. "σκεῦος," by Christian Maurer, 7:365-77) has shown convincingly that *συνευδοκέω* is a technical word for taking a wife in marriage, including especially sexually. This is what is meant, Maurer says, in 1 Pet. 3:7. In the LXX *συνδοκεῖν* and *συνδοκίζειν* are used to translate *לִישׁוּב* to mean "to live in sexual fellowship, as married people" (Deut. 21:13; 24:1, Is. 62:5). At Gen. 20:3 the participial *לִישׁוּבָהּ*, "the woman belonging to a man as (bride) wife" is rendered *συνωκηκυῖα ἀνδρός*, "the woman who has taken up (and who continues in) sexual relations with a man." In rabbinic Judaism *לִישׁוּב* is used as a technical term for the consummation of sexual intercourse, whether within marriage or outside of it (Sota 5,1; bJeb. 103a). Commenting on Deut. 24:1, the rabbis employed the word this way (b Qid., 4b, 9b).

would argue that marriage with an unbeliever was itself a cause for divorce because such a union brought the believer into contact with what is unholy. We might imagine that the ascetic demand was that mixed marriages should be dissolved to avoid entanglement with the world. The overall point of Paul's response in this verse is clear; such marriages should not be broken because by virtue of the unbeliever's relationship to the believer, whether as spouse or as child, the unbeliever lives within the sphere of what is "sanctified" or "holy." However, in what sense does the apostle employ the concept of holiness here introduced by ἁγιάσται?⁷

⁷J. Murphy-O'Connor, "Works Without Faith in 1 Cor. VII, 14," Revue Biblique 84 (3, 1977):349-61. Murphy-O'Connor introduces his article by stating that "The diversity of opinions is bewildering. The admittedly incomplete spectrum of views outlined by G. Delling in 1958 comprised eight categories, and others have since been added." (p. 349) O'Connor's analysis of the various explanations and assumptions in interpreting this verse is helpful. He first of all notes that there are a number of exegetes who view ἀκαθάρτος and ἁγίος in a ritualistic legal sense (citing Lietzmann, G. Delling, J. Blinzler). Interpreted in this manner, the words convey the idea that unbelievers were unclean in the physical sense and communicated their uncleanness to Christians (F. Hauck). O'Connor rejects this view on the grounds that there is no evidence the primitive church worked with this Jewish idea of holiness. The contact of the apostles with the Gentiles (Acts 9:43; 10:25-26, 28; Cf. Rom. 14:14) without any hint of contamination and the fact that Paul never uses ἀκαθάρτος in a ritual sense, but only in an ethical sense, O'Connor argues, makes this clear. Other interpreters hold that Paul uses the terms in a completely unique sense, including a range of explanations from "the concept of 'holiness' as an objective relationship to the Christian partner (G. Delling), or to God (H. Schlier, J. Blinzler) or to sanctity itself (J. Moffat)." (p. 351) O'Connor agrees with the distinction made between ἁγιάσται and ἁγίοις assumed by these latter exegetes, but rejects the notion that Paul is teaching something novel in 1 Cor. 7:14.

Having evaluated these various views, however, O'Connor himself presents an unacceptable view of Paul's meaning. O'Connor argues that the terms ἁγιάσται and ἁγία are references to the behavior of the unbeliever, and are moral designations: "The important point is that Paul predicates 'holiness' only on the basis of behavior." (p. 357) Unbelievers are therefore by virtue of their moral conduct holy and on the way to becoming believers. O'Connor's argument is based on a false assumption. He holds that "There is no difference in meaning between any of the cognates of hagiazō," and understands the terms chiefly as terms referring to the sanctified life, possible also for the unbeliever. He has failed to note that ἁγιάζω itself, while it can have ethical import (1 Thess. 5:23),

It is clear, first of all, that Paul does not mean by this term that the unbeliever may be counted among God's saints. Pointing to the significance of the one-flesh union as defined by Paul in 1 Cor. 6:12-20, Albert Schweitzer commented as follows on the meaning of holiness in 1 Cor. 7:12-14:

The unbelieving partner, through bodily connection with the believing, has a share in the latter's being-in-Christ and therefore becomes with him a member of the community of the Sanctified. Because the married pair belong corporeally to one another, the unbelieving partner becomes, without his or her co-operation, attached to Christ and susceptible of receiving the powers of death and resurrection which go forth from Christ . . . and similarly, children sprung from such a marriage belong to the community of the Sanctified.⁸

Schweitzer's interpretation is defective at two critical points. First, he fails to take seriously the distinction which Paul makes in 1 Cor. 7:12-16 between ἀγιάζω and σῶζω (verse 16). Since for Paul σῶζω refers to the deliverance accomplished through Jesus Christ and made the possession of individuals through baptism and faith,⁹ it follows that ἀγιάζω here cannot mean holiness which belongs uniquely to God's saints (1 Cor. 1:2; 6:11; Rom. 15:16; Eph. 5:26). Paul here distinguishes between the absence of contamination and salvation. Secondly, Schweitzer has misapplied the point which Paul makes in 1 Cor. 6:13-20. While the one-flesh union is a joining of persons at the deepest level,¹⁰ this union is not regarded by

is used mainly by Paul to refer to the act whereby God sets apart his people through Christ's work, by the power of the Spirit through baptism for a life that is then separated from evil (Rom. 15:16; 1 Cor. 1:2; 6:11; Eph. 5:26; 1 Thess. 5:23; 4:5; 2 Tim. 2:21). That is, it is a parallel term for God's justifying act (1 Cor. 6:11), as well as a word designating what is to happen ethically following God's act.

⁸Quoted in J. A. T. Robinson, The Body (Chicago: Henry Regnery Company, 1952), pp. 54-55.

⁹Titus 3:4-7. Cf. Interpreter's Dictionary of the Bible, s.v. "Salvation," by Alan Richardson, 4:168-81.

¹⁰Robinson, p. 28.

Paul as a means by which one becomes with the believer a member of "the community of the Sanctified." Despite the personal one flesh union with a πορνή and its attendant desecration, the πορνή is not ἐν πνεύμα with the Lord as a result. Paul's entire argument collapses if this were the case. Moreover, a sharp difference exists between what takes place in 1 Cor. 6:13-20 and 1 Cor. 7:12-14: the unbelieving spouse consents to honor the one-flesh union within marriage in keeping with God's will for marriage; this is not the case with the πορνή. Therefore, union with the latter is totally incompatible on the part of one in whom God's Spirit resides and who has been redeemed to live for the Lord (6:13,20) and to glorify God in the body.

We must look in another direction from the one suggested by Schweitzer if we are to approach the meaning of Paul's concept of holiness in 1 Cor. 7:14. It is significant that there are two other passages in the Pauline corpus where the apostle connects the concept of consecration or holiness with marriage, namely, 1 Timothy 4:3-5 and 1 Thessalonians 4:3-7.

Timothy is told that marriage, together with foods,¹¹ has been created by God and therefore is to be received with thanksgiving by those

¹¹The εἶ of v. 3 probably refers primarily to βρώματα, but it is not contrary to the principle established by Paul in this verse to include marriage as well. For marriage, too, was among those aspects of creation over which "It is very good" is pronounced. The Lutheran Confessions remind us in this connection, "Paul says marriage, food, and similar things are 'consecrated by the word of God and prayer' (1 Tim. 4:5: by the Word which assures the conscience that God approves, and by prayer, that is, by faith which uses it gratefully as a gift of God" (Ap. XXIII, 30; The Book of Concord, ed. Theodore G. Tappert [Philadelphia: Fortress Press, 1959], p. 243). Melancthon goes on to say, "In 1 Cor. 7:14 he says 'The unbelieving husband is consecrated through the wife'; that is, the use of marriage is permissible and holy through faith in Christ just as the use of food, etc. is permissible." (Ap. XXIII, 31)

who believe and know the truth. Against those ascetics who forbid marriage and certain foods on the grounds that they are not good, it must be said that "everything created by God is good and not to be rejected provided it is being received with thanksgiving." Everything created by God is sanctified (ἁγιαζεται) through the word of God and prayer. The word of God pronounces marriage good (Gen. 1:31; 2:18) and the believer receives it, as also food, with thanksgiving as a gift of God.¹² By the word and prayer God's κτίσμα is set aside for use as He intended (Cf. 2 Tim. 2:20-21). Man is not permitted to place restrictions on the use of what God has created, unless God expressly does so.

In 1 Thessalonians 4:3-7 the apostolic tradition imparted by Paul included a word about marriage as one sphere of God's sanctifying work in the believer.¹³ God did not call believers to uncleanness (ἀκαθαρσία),¹⁴

¹²Werner Foerster rightly states, "Thanksgiving means that the gift is received as a gift, creation acknowledged as creation, and the Giver and Creator is honoured. This attitude keeps to the narrow ridge between two precipices which are a constant threat in religious history, either to worship creation instead of the Creator, and thus to be absorbed in creation, or to reject it in asceticism (or despise it in libertinism)." (TDNT, s.v. κτίζω by Werner Foerster, 3:1033).

¹³ἁγιασμός, used eight times by Paul (Rom. 6:19, 22; 1 Cor. 1:30; 1 Thess. 4:3, 4, 7; 2 Thess. 2:13; 1 Tim. 2:15), is a nomen actionis deriving from ἁγιάζω, and means "sanctifying" (TDNT, s.v. ἁγιασμός, by Otto Procksch, 1:113; BLDF, 109). In contrast to a life lived in slavery to uncleanness and rank lawlessness, the baptized offer themselves as slaves to the righteous life, having as its outcome ἁγιασμός (Rom. 6:19), and finally eternal life (6:22). In possessing Christ the believer has everything. He is righteousness, sanctification, redemption (1 Cor. 1:30). The term, as an ethical designation, signifies separation from evil conduct, characteristic of the pagan life (1 Thess. 4:3, 4, 7), particularly in such critical areas as sexual conduct and marriage. In sharp contrast to those who do not believe the truth, but take pleasure in wickedness, God's beloved are chosen for salvation, which takes place in a different sphere: through sanctification by God's Spirit and belief in the truth (2 Thess. 3:13). God's blessing rests on human vocation, when it is carried out in faith and love and sanctification with modesty. (1 Tim. 2:15)

¹⁴Paul uses ἀκαθαρσία as a category term to describe the moral excesses of the pagan way of life from which those who possess God's

but to live in the locale (ἐν) of the Spirit's activity. This means one must abstain from πορνεία and know how to take one's wife¹⁵ in holiness and honor, not in the passion of lust like the heathen who do not know God. That which distinguishes the believer as separate from his heathen neighbor is his recognition of the will of God that a woman is to be viewed not as an object of passion, another form of πορνεία, but possessed as God's gift.

Spirit at work separate themselves. It suggests that one has not separated himself from the kind of conduct which destroys faith and therefore excludes from God's reign (Rom. 1:24; 6:19; 2 Cor. 12:21; Gal. 5:19; Eph. 4:19; 5:3; Col. 3:5; 1 Thess. 2:3). Ἀκαθαρτός occurs only twice in Paul, once in the ethical sense (Eph. 5:5) and once in a quote referring to ritual uncleanness (2 Cor. 6:17).

¹⁵Christian Maurer (IDNT, 7:365-67) has argued (in opposition to ancient and modern interpreters who have held that σκεῦος refers to one's own body) that σκεῦος means one's wife (as in 1 Peter 3:7). For Maurer the decision hinges on the meaning of κτᾶσθαι, which could be understood in the ingressive sense of "to gain," or in the durative sense of "to possess." He notes that the former meaning does not go at all with σκεῦος as body, and the latter gives the sense "to have the body in one's power." If, on the other hand, σκεῦος "refers to the woman then either the unmarried in Thessalonica are being urged to marry as a remedy against fornication (ingressive sense) or those who are married are being told to hold to their own wives in esteem (durative sense)" (p. 365). Maurer concludes that κτᾶσθαι is parallel to the Old Testament's language for possessing a woman sexually in marriage (קָנָה), imparting a durative sense. Thus, Paul would be saying: "For this is the will of God, even your sanctification, that you keep yourselves from fornication, that every one of you know how to hold his own vessel in sanctification and honour (i.e., live with his wife in sanctification and honour), not in passionate lust like the Gentiles who know not God" (p. 366). The phrase ἐλθέτω-κτᾶσθαι corresponds exactly with δὲ... ἐχέτω in 1 Cor. 7:2. Maurer adds that Paul never formulates "an individual ethics centered on the body": "On the other hand, the demand for a marriage lived in sanctification is reminiscent of Jewish traditions. According to Wis. 13-14, which is used in R. 1, the Gentiles do not know God and consequently they do not know the meaning of marriage. Hence, in 1 Thess. 4:3-8, referring to the knowledge of God now accessible in the Gospel, Paul presents the antithesis between ἀγλασμός and ἀκαθαρσία and puts the following demands: Renounce free and unbridled love (v. 3b); keep your own marriage holy (v. 4), the opposite of the uncontrolled expression of desire (v. 5); and respect your brother's marriage (v. 6)" (p. 367).

Maurer's position is correct, for Paul's emphasis here is not ἐγκρατεία, but abstention from πορνεία by possessing one's σκεῦος in keeping with God's will and for the right motives. The ἐαυτοῦ in contrast to the preceding πορνεία, and κτᾶσθαι (Cf. Ruth 4:10), meaning "to acquire" (BAGD, p. 455), suggest σκεῦος refers to one's wife.

What possibility do these texts open up for our understanding of 1 Cor. 7:14, where we hear the apostle say that the unbelieving spouse "has been sanctified" in¹⁶ the wife "and in the brother"?¹⁷ While the apostle is not speaking directly to the question of mixed marriages in the above texts, he nevertheless sets forth a principle that coincides with his point in 1 Cor. 7:14: when that which God has created is used as he intended and is regarded as His gift, with his design, it is appropriate to regard such a κτίσμα of God sanctified; the spouse set aside for God-pleasing use may be called ἡγιασμένην. It is the use of marriage and the attitude of the believer toward his/her spouse that is the focus of verses 12-13. Paul is concerned that the believer honor the commitment to remain with the partner. This is God's will and the unbeliever is thereby set apart not for profane, but holy use.¹⁸ Henry Jacobs, in his annotations on 1 Cor. 7:14, states:

Everything that a Christian can use in a legitimate way is sanctified by the word of God and prayer, to his growth in grace, and

¹⁶εἰς may be instrumental (Cf. TDNT, s.v. εἰς, by Albrecht Oepke, 2:540-41), but the meaning given by BAGD is best: "because of, on account of." (p. 261)

¹⁷The weakly attested variants are simply the attempt to complete the parallelism in the verse. The Nestle text's reading, the more strongly supported, presents no interpretive difficulties.

¹⁸The passive is critical, because the "setting apart" does not originate in the conduct of the unbeliever, but in the result of his/her relationship to the believer. Cf. Frederic L. Godet, pp. 339-40. Godet states in this connection, "The latter (the εἰς) indicates that the heathen or Jewish spouse has his holiness in the person of his spouse, and the perfect passive indicates that the communication of the holiness or consecration to God is regarded by Paul as already finished. As the believer is consecrated to God in the person of Christ and as by faith in Him he gains his own consecration in His, so the non-Christian spouse is sanctified in the Christian spouse by his consent to live with her. This consent is in his relation to his Christian spouse what faith is in the believer's relation to Christ. By consenting to live with his spouse, the Jewish or heathen spouse also accepts her holy consecration and participates in it."

the progress of God's Kingdom. He is, therefore, to continue to live with his unbelieving wife; and, notwithstanding her unbelief, the relation is that of holy matrimony. The sanctification referred to is not the person (*sic*) sanctification of the unbeliever, which is impossible without faith, but that of the unbeliever's sanctification for the relation into which she enters with a believing husband.¹⁹

Paul's line of argument is, therefore, that the unbeliever must be viewed or judged by his/her believing partner and not the reverse.²⁰

The apostle proceeds to undergird his point by appealing to what is regarded as an undisputed assumption. If the natural relationship of the husband and wife is not pleasing to God when one is a Christian and the other an unbeliever, the children of this union must be regarded as ἀκατάρτα. The ἐνὶ ἄλλῃ, translated "for otherwise,"²¹ suggests that this conclusion cannot be drawn. It is assumed that children of such a marriage are "now" holy, that is, the conversion of the Christian spouse marked that point both temporally and logically²² from which the children are to be regarded as ἁγία. What does Paul mean by calling the children ἁγία?

Oscar Cullmann has argued on the basis of 1 Cor. 7:14 and the analagous practice of Jewish proselyte baptism,²³ that the child of the

¹⁹Henry Jacobs, George F. Spieker, and Carl Swenson, Annotations of the Epistles of Paul (New York: The Christian Literature Co., 1897), pp. 10-11.

²⁰Ridderbos, p. 264.

²¹BLDF, 456, 3, p. 239.

²²Findlay, p. 827.

²³Oscar Cullmann, Baptism in the New Testament, trans. J. K. S. Reid (London: SCM Press LTD, 1950), p. 25. Cullmann is referring to the oft-cited case in which children born after a husband or wife's conversion to Judaism are said to be begotten and born in holiness. Cf. Paul Billerbeck, Die Briefe Des Neuen Testaments und die Offenbarung Johannis in Kommentar zum Neuen Testament aus Talmud und Midrash, ed. Hermann L. Strack and Paul Billerbeck, III (Munich: C. H. Beck'sche Verlagsbuchhandlung, 1954), p. 374.

marriage of Christian parents "belongs already automatically to the Body of Christ purely by reason of its birth . . ."²⁴ Baptism of such children is not necessary.²⁵ This is what is meant by ἁγία : ". . . as with the circumcision of the children of Jewish parents, the motive power to 'holiness,' i.e. to incorporation into the divine covenant, proceeds from natural birth."²⁶ Cullmann seems²⁷ to support this conclusion in part by making a distinction between ἡγιασται , which he thinks refers to the inclusion of the unbeliever by faith in the church prior to baptism (this is why he speaks above of the marriage of Christian parents) and ἁγία , which refers to inclusion by birth. Cullmann's position is doubtful.

First, Paul is not referring to marriages here in which both partners are Christians. Moreover, as we have shown, ἡγιασται cannot refer to incorporation into the Christian community. Secondly, baptism is nowhere mentioned in 1 Cor. 7:12-16 and it is, therefore, not possible to draw specific conclusions in regard to the practice surrounding it. Thirdly, the apostle's contrast between ἀκαθαρτα and ἁγία suggests the issue being discussed is not membership in the Christian community, but holiness in its root sense of separation from the sphere of what is to be rejected ethically. It is significant that where Paul contrasts the concept of uncleanness with holiness he has in mind the separation of a person from uncleanness ethically defined (Eph. 5:3; 1 Thess. 4:3-7; 2 Cor. 6:17 - 7:1; Cf. Eph. 4:19-24). Fourthly, as Alan Richardson has pointed out, if Cullmann were correct, Christian baptism would presumably have been limited to the baptism of proselytes, as in the case of Jewish baptism. But historically this was not the case, because "the children of believing

²⁴Cullmann, p. 44.

²⁵Ibid, p. 61.

²⁶Ibid., pp. 61-62.

²⁷Ibid., p. 53.

parents were, as a matter of historical fact, always baptized."²⁸

It is our contention that a sharp distinction need not be made between what Paul means in 1 Cor. 7:14a and 14b. Children born of a Christian spouse, whether in a mixed marriage or not, are a gift from God, declared so by God's word and received by the believer with thanksgiving. No father and no mother gives up their relationship with their children because they still are not believers. Rather, they recognize in their children God's gracious gift. So concludes Adolf Schlatter:

Ihre Kinder sind heilig, weil Gott sie denen gegeben hat, die er für sich geheiligt hat. Wie sie ihre Kinder nicht verlassen sollen, so soll auch der Gatte dem Gatten die Gemeinschaft bewahren, solange der andere Teil hierzu willig ist.²⁹

By way of summary, we can see that in verses 12-14 Paul clearly argues for the continuance of the marital bond, even if the marriage has been contracted with one who cannot be regarded as "saved." Divorce is not to be on the agenda of a believer who has an unbelieving spouse who consents to the union. Those who argue that such a union brings moral uncleanness have misunderstood the nature of the relationship; the unbeliever must be judged by his/her relationship to the believer and not the reverse. The argument that the unbeliever is "sanctified" by his/her relationship to the believer cannot be separated from what Paul says in 1 Cor. 7:12-13. There mutual consent is that condition which ought to guarantee

²⁸ Alan Richardson, An Introduction to the Theology of the New Testament (New York: Harper & Row, Publishers, 1958), p. 359. Richardson thinks αἱ refers to baptized children. This cannot be proved, but his point is well taken nevertheless.

²⁹ Schlatter, Erläuterungen, p. 60. Translation: "Your children are holy because God, Who has sanctified them for Himself, has given them to you. As they should not leave their children, so also the spouse should preserve the relationship with the spouse, as long as the other party is willing to this end."

from the Christian viewpoint permanence. Thus, by living within the sphere of one who recognizes and does God's will, the unbeliever, too, is set apart to live within God's purpose for marriage.

1 Corinthians 7:15-16

If a situation develops in which mutual consent is withdrawn and instead the unbeliever separates or dissolves the marriage, the principle established is that one should let such a one proceed with this action.³⁰ The brother or the sister is not bound "under such circumstances."³¹ These words introduce, says John Murray, "one of the most perplexing questions in New Testament interpretation."³² As we have noted above in the introductory comments, the crucial question is whether οὐ δεδούλωται in verse 15 means that the believing spouse is entirely free, so that re-marriage is a possibility, or that such a one is no longer obligated to seek restoration of the broken relationship, without having the freedom, however, to enter into a new marriage.

Before examining in more detail the above expression, we should emphasize that the apostle is at the very least advocating the maintenance of the marriage relationship in verses 12-14. But more than this, he is commanding that the Christian spouse not divorce his/her partner when the consent of the unbeliever to live in marriage is present. The issue here, therefore, is not merely maintenance of the broken relationship, but preservation of the marriage. Thus, when the apostle established the principle ἐὶ δὲ ὁ ἄπιστος χωρίζεται χωριζέσθω . . ., employing what is likely

³⁰Robertson cites χωριζέσθω as an example of the imperative used to express permission. The imperative is in the present tense, implying some kind of procedure taking place.

³¹BAGD, p. 821.

³²Murray, p. 69.

the technical term for divorce in Corinth, the assumption is that the unbeliever has withdrawn consent and has therefore broken the marriage.

This being the case, Paul would be saying by $\delta\upsilon\ \delta\epsilon\delta\omicron\upsilon\lambda\omega\tau\alpha\iota$ that the believing spouse accept the fact that the marriage is in fact ended; he/she may with a clear conscience view him/herself genuinely free from the marriage. Can this view be substantiated on closer examination?

We inquire, first of all, regarding the meaning of $\delta\omicron\upsilon\lambda\acute{\omicron}\omega$, which occurs eight times in the New Testament and with the causative meaning "to make a slave" or "to enslave."³³ (As a passage such as Acts 7:6 suggests, where Gen. 15:13 is quoted by Stephen, $\delta\omicron\upsilon\lambda\acute{\omicron}\omega$ may be distinguished from $\delta\omicron\upsilon\lambda\epsilon\acute{\upsilon}\omega$, which means "to serve as a slave."³⁴) Elsewhere in Paul's writings the term refers to a state of bondage from which one must be freed. As Philipp Bachmann has correctly pointed out, one who is $\delta\epsilon\delta\omicron\upsilon\lambda\omega\mu\acute{\epsilon}\nu\omicron\varsigma$ is that person from whom autonomy of movement in life (Lebensbewegung) has been withdrawn.³⁵ Whether employed with $\acute{\upsilon}\nu\acute{\omicron}$ and the accusative (Gal. 4:3) or with the dative (Rom. 6:18; 22; 1 Cor. 9:19; Titus 2:3; compare 2 Peter 2:19), the term expresses that condition in which one stands under or in the ruling sphere of another power. In 1 Cor. 7:15, however, Paul uses the term in the absolute and does not indicate specifically from what power one is freed. Hence, there is a degree of ambiguity in the verse: not bound to what? It is not possible on the basis of the meaning of $\delta\omicron\upsilon\lambda\acute{\omicron}\omega$ itself to decide whether Paul is thinking of the dissolution of the marriage bond itself or mere release from a

³³The Septuagint has the term only two times at Gen. 15:13 and Prov. 27:8 (Also the variants at Is. 43:23 and Ezek. 29:18, and Wis. 19:14, 1 Macc. 8:11; 4 Macc. 3:2; 13:2).

³⁴TDNT, s.v. $\delta\omicron\upsilon\lambda\omicron\varsigma$, by Karl Rengstorf, 2:261, 279.

³⁵Bachmann, p. 271.

constraint to preserve the marriage at all costs. However, the force of *δουλόω* is not without significance if one looks at Paul's way of speaking about the bond of marriage elsewhere.

To illustrate the principle that the death and resurrection of Christ freed believers from the law, with its tyranny and curse, Paul asserts in Rom. 7:1-4 that a woman is bound (*δέδεσται*) by law to her husband as long as he lives. When he dies, the marriage is ended and she no longer is regarded as an adulteress if she remarries (a stigma which will attach to her if she marries while he is living). Important for our consideration of 1 Cor. 7:15 is the principle in Romans 7 that not to be bound is to be free (*ἐλευθέρα*) from the marriage (which no longer exists post mortem) or from the law binding one to the spouse still living. Similarly, the principle that one is bound to one's spouse as long as that one lives (*ἐφ' ὅσον χρόνον ζῇ*) is stated by Paul in 1 Cor. 7:39: "A wife is bound (*δέδεσται*) to her husband as long as he lives. If the husband dies, she is free to be married to whom she wishes, only in the Lord."³⁶ Remarriage is permitted because death releases one from the bond of marriage.

At 1 Cor. 7:27 Paul advises, in view of the distress present in this age, that those who are married should stay that way, while those who

³⁶Our purpose is not to discuss whether Paul is by his proviso *μόνον ἐν κυρίῳ* establishing a general rule that Christians are not to marry non-Christians. Some have argued so. But, as C. K. Barrett has observed, this is by no means the only interpretation having merit: "The last clause is usually taken to mean, 'She may marry any one she pleases, provided he is a Christian', but, as Lightfoot points out, this narrows Paul's meaning - 'She must remember that she is a member of Christ's body; and not forget her Christian duties and responsibilities'; similarly Schlatter. It is reasonable to add that, in view of the difficulties caused by mixed marriages (see vii. 12-16) a widow exercising her right to a second marriage would no doubt be wise to choose a Christian husband. In 1 Tim. v. 14 younger widows are urged to marry" (Barrett, p. 186).

are not should remain single. Paul's expression for what takes place when one marries is again *δέδεσθαι*; freedom from this bond is here spoken of as *λύσις* and *λέλυσθαι*. James Moulton and George Milligan cite one instance in the papyri (P Oxyrhynchus, XII. 1473,6 (A. D. 201) where *λύω* refers to the "discharge" of a marriage contract.³⁷ There is no Biblical evidence to suggest a technical meaning such as this late reference in the papyri. Nevertheless, since the term refers to those who are not married,³⁸ the implication is that as the opposite of being bound the term *λύσις* refers to the dissolution of the marriage or divorce.

Paul chooses *δουλόω* and not the weaker *δέω* in 1 Cor. 7:15 because he wishes to include the added dimension of not being bound to one who refuses to live in keeping with the will of the Lord for marriage. Thus, *οὐ δεδούλωται* means not less, but more than *οὐ δέδεσται*: to remain tied to such a one would entail not only bondage to the spouse in marriage, but bondage to a form of conduct unacceptable to the believer. The pagan partner's refusal to maintain the marriage cannot enslave the believer. The general principle enunciated by Paul is that marriage is to remain unbroken (1 Cor. 7:39) for as long as one's spouse lives. However, the refusal of the unbelieving spouse to remain faithful in marriage introduces a new circumstance wherein this principle is no longer applicable as far as the Christian is concerned. It is not possible to preserve what does not exist.

³⁷ M-M, pp. 382, 384.

³⁸ The New International Dictionary of New Testament Theology, s.v. "Redemption," by C. Brown, 3:188-89. Brown has noted that *ἀπολύω* is the term for divorce in the Gospels. Thus, Paul's choice of the words *λύω* and its cognate *λύσις* seems quite natural. D. Daube states that *λύσις* is a "somewhat untechnical word for divorce by the husband . . ." (Rabbinic Judaism, p. 363)

It has often been argued that Paul does not expressly state in 1 Cor. 7:15 that the Christian may remarry.³⁹ It must be admitted that the liberty to remarry is an inference derived from *οὐ δεδούλωται*. But since the apostle does not expressly forbid remarriage, consciences must not be bound by prohibiting remarriage on the basis of 1 Cor. 7:15. Paul does not repeat his principle of verse 11 that the Christian spouse remain unmarried.

God has called married Christians⁴⁰ in Corinth to live in peace.⁴¹ Two interpretations have generally been given these words. Those commentators who link the statement to 15a,b view it as Paul's rationale for the Christian spouse's not seeking to preserve the marriage with the unwilling

³⁹E.g. H. G. Coiner, "Those 'Divorce and Remarriage' Passages," p. 383.

⁴⁰The variant *ἡμεῖς*, Bruce Metzger has pointed out (A Textual Commentary [New York: United Bible Societies, 1971], p. 555), has slightly stronger external support, but *ὑμεῖς* is preferred "since the general tendency of scribes is to make modification in the interest of generalizing the reference of aphorisms."

⁴¹C. F. D. Moule, Idiom, p. 79. Moule suggests the preposition is used "'pregnantly'; perhaps God has called you into a peace in which he wishes you to live." As in the sphere of congregational life (1 Cor. 14:33), so in the domestic sphere the God of peace (1 Cor. 1:3; 2 Cor. 13:11) wills that there not be disorder on the part of those in the Christian community. Such peace of Christian men and women among one another is to be the outcome of the state of well being into which they are brought by God through the work of Christ (Rom. 5:1, 10; 2 Cor. 5:17, Cf. Eph. 2:16): "Peace, in the sense of wholeness both for men and the world (2 Cor. 5:17; Gal. 6:15), brings newness to human relationships. Hence the injunction: Be at peace with one another (Mk. 9:50; cf. 2 Cor. 13:11, in association with to auto phroneite, be of one mind) and with all men wherever possible and so far as it depends on you (Rom. 12:18)." (Dictionary of New Testament Theology, s.v. "Peace," by Colin Brown, 2:781) However, when a Christian seeks to stay with a heathen spouse who refuses to live with him/her anymore, there follows not peace and order, but strife. To that God does not bind Christians. The course of action taken by the believer is not determined ultimately by the uncertain prospect of bringing the pagan partner to faith, but by God's certain call to live in peace (Schlatter, Erläuterungen, pp. 60-61).

non-Christian party, for this leads to discord. In this case Paul's rhetorical $\tau\acute{\iota} \chi\alpha\rho\ \omicron\iota\delta\alpha\varsigma$... in verse 16 is given as a supplementary reason for not struggling to preserve what is broken: the conversion of the unbeliever rests on uncertain grounds.⁴² Other commentators prefer to tie 15c together with verse 16, in which case 15c constitutes a qualification of the permission granted in 15a,b: "God has called you, however, to peace with each other." The $\delta\acute{\epsilon}$ of 15c, according to this view, is taken in its full adversative sense. Joachim Jeremias has chosen this explanation in presenting his thesis that Paul in these verses wishes to stress the missionary obligation that rests on Christian spouses in mixed marriages. The $\tau\acute{\iota} \chi\alpha\rho\ \omicron\iota\delta\alpha\varsigma$, then, has the force of "perhaps" or "it may be."⁴³ C. K. Barrett also takes 15c as a concession to what Paul states in 15a,b, observing that the $\delta\acute{\epsilon}$ is to be translated "But God has called . . . , " not "For God has called"⁴⁴

The latter of the above two explanations probably gives $\delta\acute{\epsilon}$ more adversative strength than Paul intended. M. Zerwick's comment on the particle is more balanced: "The particle $\delta\acute{\epsilon}$ nearly always implies some sort of contrast, but is sometimes also used with 'progressive' or

⁴²Schlatter, Ridderbos, Wendland, Conzelmann, Robertson-Plummer, Hering, Lenski, C. T. Craig, Grosheide, Weiss.

⁴³Joachim Jeremias, "Die Missionarische Aufgabe in der Mischehe (1 Kor. 7:16)," Zeitschrift für die Neutestamentliche Wissenschaft Beih. 21 (1954) (Bultmann Festschrift), pp. 255-260. (Found in Joachim Jeremias' Abba [Göttingen: Vandenhoeck & Ruprecht, 1966], pp. 292-298.)

⁴⁴Barrett, p. 166. G. G. Findlay favors the more adversative force, so that Paul reverts to his main point "that the marriage tie, once formed, should in every way possible be maintained." He admits that Paul is "curiously ambiguous" and that taken by themselves Paul's words here may be read as rationale either against or for separation, but goes on to say that reading between the lines one senses Paul is returning to his original thought - $\mu\eta\ \chi\omega\rho\iota\varsigma\theta\epsilon\omega$. (Findlay, p. 828)

'explanatory' force, meaning 'and moreover,' 'and at that' (where the contrast is still there, namely with an existing or possible estimate). This value of $\delta\epsilon'$ is usually obvious from the context"⁴⁵ Understood in this way the $\delta\epsilon'$ would remind the reader that a higher principle is at work than a mere negative concession; the believer is called to peace, not to flight for a marriage that has already been broken by one who has no desire to continue the relationship. To refuse to let go brings no peace.⁴⁶ The certainty of converting one's unbelieving partner is questionable. As Werner Foerster has noted, in 15c "we do not have a restriction but a reason. Only thus can the following verse begin with a $\gamma\alpha\rho$."⁴⁷

What is there in the context that leads us to prefer Zerwick's less strongly adversative translation of $\delta\epsilon'$? That $\delta\epsilon'$ is not strongly adversative and therefore delimitative of $\text{o}\dot{\upsilon}\ \delta\epsilon\delta\omicron\upsilon\lambda\omega\tau\alpha\iota$ is suggested by Paul's use of $\epsilon\lambda\ \mu\eta'$ in verse 17, a particle more clearly adversative (Cf. Gal. 1:7; Mk. 6:5). According to Blass-Debrunner-Funk in their A Greek Grammar of the New Testament and Other Early Christian Literature, the

⁴⁵Zerwick, p. 157. Similarly, Robertson in his discussion of cautions against loading too much of the adversative meaning in the particle. It basically means something new is being added, though not necessarily in sharp contrast to what precedes. (pp. 1184-86)

⁴⁶Adolf Schlatter states succinctly, "Hebt aber der Heide die Gemeinschaft auf, so lässt Paulus kein trotziges 'dennoch' zu: 'dennoch werde ich dich bekehren, dennoch lasse ich dich nicht,' sondern er beugt die menschliche Liebe unter Gottes Regierung, die allein über den Ausgang unseres Lebensverfügt. (Schlatter, Erläuterungen, p. 61) ("But if the heathen suspends the relationship, Paul permits no obstinate 'nevertheless': 'Nevertheless I will convert you; nevertheless, I will not leave you,' but he bends the human love under God's governance, which alone takes care of the outcome of our life.")

⁴⁷TDNT, s.v. $\epsilon\iota\rho\acute{\eta}\nu\eta$, by Werner Foerster, 2:416. Against Foerster, however, we must state that Paul is not releasing the Corinthians from the Lord's commandment, but granting an exception in a case where the marriage has been broken by the unbelieving partner.

particle in this verse is equivalent to $\pi\lambda\eta\acute{\nu}$ ⁴⁸ or $\alpha\lambda\lambda\acute{\alpha}$.⁴⁹ Paul begins a new section in chapter seven, therefore, with a qualification of what he has just said. It would be difficult to take $\delta\acute{\epsilon}$ in its pregnantly adversative force if Paul were only one verse later again to say, "but . . . as God called each one . . ."⁵⁰ Moreover, if as Barrett and Jeremias hold, verse 16 calls for the Christian to strive to remain, come what may, in the marriage which has suffered dissolution for the missionary purpose, then verse 17 follows as an awkward tautology. The more natural explanation of Paul's thought progression is that he is qualifying what he has said in verse 15 by $\theta\epsilon\delta\acute{o}\upsilon\lambda\omega\tau\alpha\iota$,⁵¹ so that in verse 17 he again returns to his original point, namely, that God wills for the Christian who lives in marriage that he/she remain there and not seek to be free.⁵²

⁴⁸BLDF, 376, p. 191.

⁴⁹Ibid., par. 448, p. 233; Cf. Zerwick, 470, p. 158.

⁵⁰Grosheide, p. 166. Grosheide's view that in verse 15 Paul is referring to the "internal" vocation of salvation, while in verses 18-24 he is talking about external circumstances, is artificial. Paul makes no such distinction in these verses.

⁵¹Findlay: "Under this general rule the exceptional and guarded permission of divorce in ver. 15 was to be understood" (p. 828).

⁵²Robertson and Plummer, pp. 144-45. Robertson and Plummer take this position, giving $\epsilon\iota\mu\eta$ its proper due: "Therefore the Christian partner must not do anything to bring about a dissolution of marriage, any more than the Christian slave must claim emancipation. But if the heathen party insists on dissolution, or grants emancipation, then the Christian may accept freedom from such galling ties. . . . The $\epsilon\iota\mu\eta$ (introducing an exception or correction) defines and limits the somewhat vague 'is not under bondage in such cases.' There remains some obligation, viz. not to seek a rupture. One is not in all cases free to depart, simply because one cannot be compelled to stay. But nothing is here said against the improvement of one's circumstances after embracing Christianity. What is laid down is that, unless one's external condition of life is a sinful one, no violent change in it should be made, simply because one has become a Christian. . . . It ($\epsilon\iota\mu\eta$) introduces a caution with regard to what precedes, and this forms a preface to what follows. So Paul is opposing the restless spirit and desire for further change which the Gospel had excited in some converts."

The progression of thought in 1 Cor. 7:12-16 is, therefore, as follows. Consistent with the Lord's teaching that the Christian not divorce his/her spouse, Paul establishes the principle in verses 12-13 that the Christian should not divorce an unbeliever in the mixed marriage. He adds as a reason the consecration of the unbeliever and the children of the marriage because of their relationship with the believer. The decisive determination for judging whether the marriage has suffered dissolution is the unbeliever's removal of consent and definitive break, whether by legal divorce or de facto abandonment. Paul permits the believer to consent to this situation and gives as a reason: "For God has called us to peace." The believer is not conscience-bound to regard the marriage as still in existence. The believer has not violated the principle that marriage was created for permanence, for he/she is not responsible for the breaking of the union. Verse 16 then follows as Paul's way of stating that the believer should not agonize over the departure of the unbeliever; there is no guarantee in this instance, even though a type of consecration is present, that the believer can make the kind of impact that would lead to the unbeliever's salvation. Thus, the apostle in this section resists any tendency on the part of Christians to abandon marriage with unbelievers as inconsistent with one's call to live the life of a saint, while at the same time speaking to the tender conscience which is troubled whether Christ's teaching binds one to remain married to one who has deserted the marriage. For one suffering this tragedy, Paul formulates the principle: "The brother or sister is not bound." The marriage may be regarded as in fact ended. The non-Christian's refusal to honor the commitment of marriage cannot place the believer in bondage. Given these principles, however, the believer must not forget that insofar as it depends

on him/her everything must be done to avoid giving the unbelieving spouse reason to abandon the marriage.

This summary of Paul's argument in 12-16 is based on two assumptions established in the previous chapter. The first is that the terminology for the break-up of marriage in 7:15 refers to the actual dissolution of the marriage. Secondly, we concluded that not every remarriage is necessarily contrary to the Lord's will. If one assumes that marriage cannot be broken and if one regards remarriage by definition as the contracting of a second marriage, then remarriage cannot take place. It is our conclusion that this is not the way in which Paul treats the subject of divorce and remarriage. He is dealing with a case in which the marriage is broken by another who disregards the normative prescriptions of Christian teaching. The principle Paul establishes is that marriage is not permitted, by divine mandate, to be broken by Christians. This principle, while remaining valid, is no longer applicable in a case where the marriage is broken by the unbeliever who has withdrawn consent, since there is no marriage any longer. What is already broken cannot be broken by the Christian. It follows that if remarriage is by definition the contracting of a second marriage, then remarriage is permitted in those cases where the marriage has been broken by the unbeliever. Pastoral determinations as to when the definitive or final break has occurred must be guided by the principle that Paul enunciates in verses 12-13: consent to maintain the marriage is the decisive factor.

CHAPTER V

CONCLUSION

We recall that the purpose of this thesis is to re-examine 1 Cor. 7:10-16, on the basis of which desertio malitiosa has been regarded as a second "ground" for divorce, with the liberty of remarriage. We have set out to evaluate on the basis of this examination whether the traditional position regarding malicious desertion as articulated by theologians of The Lutheran Church-Missouri Synod can be substantiated by a valid exegesis of the text. We are now in a position to make some summary observations, and to conclude with a pastoral word.

Our research has shown, first of all, that C. F. W. Walther's caution against speaking of "two grounds" for divorce remains a legitimate concern and that his formulation corresponds more closely to what Paul actually says than those formulations in which malicious desertion is spoken of as a second ground for divorce.¹ We say this for the following reason. If one were to understand the action permitted the believer in the imperative $\chi\omega\rho\iota\varsigma\epsilon\theta\omega$ (7:15) as the legal act of divorce and the action of the unbeliever as desertion (and not divorce itself), then one could speak of desertion as a ground for a legal divorce. However, it is

¹Even T. Laetsch ("Malicious Desertion," p. 204) as careful as he is to state that there really is only one ground for divorce, viz., fornication, writes somewhat ambiguously: "It is God Himself Who grants the right of divorce in the two instances named."

our contention that Paul has in mind the actual dissolution of the marriage by the unbeliever, not mere separation, when he uses the term *χωρίζω* and that the believer's final acquiescence to this situation cannot be termed divorce in its strict sense. Thus, Paul is not allowing believers to look for grounds to initiate the dissolution of the marriage, but only to recognize that situations may arise where their marriage is terminated by another and where they need not forever regard themselves as bound. As we have noted, the principle Paul provides is that when a person who is himself/herself prepared to remain faithful to his/her marital commitment is abandoned by the other party in a way that can be realistically understood as definitive or final such a person is free of the commitment to the union, because it no longer exists.

We hasten to repeat that Paul's purpose is to affirm that insofar as it depends on them, Christians are to remain within their marriages, even if such marriages were formed prior to conversion or involve a present union with an unbeliever. In 1 Cor. 7:12-16 we see the apostle making a particular application of a more general principle already underlined in 1 Cor. 7:10-11. When it comes to Christians who are within the married state, Paul argues with the force of the divine will that they are never to initiate the dissolution of marriage. Divorce (in the sense of putting an end to the marriage) is not to be on the agenda of a believer who has an unbelieving spouse who consents to the union. Thus, for the believer the apostle's direction in 1 Cor. 7:12-16 is not, strictly speaking, a declension from the Lord's will that marriage remain unbroken. The apostle's permission that the believer may recognize a marriage already broken is not to be understood as permission to seek grounds for dissolving the union.

Secondly, we have been led to see that Walther was correct in viewing the *ὁ δεδούλωται* as describing another case (divorce because of fornication being the other) in which the remarriage of a Christian whose marriage is broken by another is permitted. This observation is predicated on our conclusion that in 1 Cor. 7:15 Paul is referring to the end of the marriage, in a manner similar to that occasioned by the death of a spouse. While in 1 Cor. 7:10-11 Paul commands (in keeping with the Lord's teaching) that marriage for Christians must remain indissoluble, this principle cannot be applied to cases of definitive abandonment (7:15) so as to insist that such a marriage is before God is in reality not broken and that remarriage is by definition impossible, that is, without committing adultery. The apostle's prohibition of remarriage in 1 Cor. 7:11 applies to the Christian party who initiates the dissolution of the marriage, and does not apply where that dissolution has already occurred at the initiative of one who fails to recognize God's will for marriage as a permanent institution.

Thirdly, we hold on the basis of our inquiry concerning the terminology for divorce employed by Paul that there is no compelling reason to think of 1 Cor. 7:11a as a reference to mere separation from bed and board. Here we have taken exception to the explanation commonly given by the LCMS writers. We must side with Martin Franzmann's translation of the phrase² and with Lenski regard the term *χωρίζω* in this verse as substantially the same as *ἀφίημι*.³ It may be objected that if one views 11a as a reference to divorce Paul is then loosening the moral demand for the permanence of marriage. We would argue that the opposite is the case.

²Martin H. Franzmann, Concordia Bible With Notes, p. 303.

³R. C. H. Lenski, p. 286.

The mandate that those Christians who divorce their spouses should remain unmarried or be reconciled intensifies the moral requirement. Those who disobey God's command and divorce their spouses must recognize the seriousness of their action: remarriage is not in the picture. It should be remembered, of course, that this is the apostle's absolute principle and that despite his demand marriages among Christians do break. In such cases, remarriage may become a possibility, with repentance as the primary prerequisite.⁴ But the apostle says nothing concerning this area of pastoral care.

A Concluding Pastoral Word

It is important to recognize that the pericope we have examined is in the form of an ethical directive (law), and is not a Gospel statement - though indeed Paul's words in 7:15-16 breathe an evangelical spirit. As such, therefore, it contains principles concerning God's will for marriage that function as law, serving to restrain the works of the sinful flesh, to declare God's judgment on sin, and to provide guidance for conduct that will please God. In the delicate administration of the Law two extremes, we would suggest, must be avoided. One danger which resides in interpreting the Biblical texts on this subject is the tendency to reduce the principles contained in them to a mere legalistic code having as its primary aim the determination of "innocent" and "guilty" parties. There is also the danger of rejecting them as providing specific directions to those who wish to order their lives in accordance with the will of the Creator for marriage. Either extreme tends to promote further confusion and ambivalence toward the will of God.

⁴"Human Sexuality," CTCR Report, p. 28.

Having said that what the Lord and his disciples taught is comprised chiefly of moral commands, however, we must hasten to add that the Christ Who stands in judgment over the evil of divorce is the same Christ Who died for all sins, including those that lead to the broken marriage, the Christ Who spoke to the woman taken in adultery the words, "Neither do I condemn you; go, and do not sin again" (John 8:11). By the power of His Spirit, He enables those who believe in Him to submit themselves in willing and glad obedience to His loving commands.

As we reflect on the application of the apostle's principles in our pericope to cases of pastoral care, the most difficult determination is deciding that point when the Christian party is abandoned in a way that can realistically be understood as definitive or final, hence permitting the counsel "the brother or sister is not bound." The determination is made more complex by judgments as to who in fact abandoned whom or who wishes to be a Christian. By way of conclusion, we offer the following general guiding statements, which we submit are suggested by Paul's discussion of 1 Cor. 7:10-16:

1. In determining whether a person has been realistically abandoned in a way that can be considered definitive or final, a key determination is whether there exists the desire to remain faithful to the marital commitment, that is, consent ($\sigmaυγγε\upsilon\delta\omicron\kappa\acute{\epsilon}\omega$) to maintain the union, albeit with difficulties to overcome. One would assume that where such a desire exists, the desire to reconcile will manifest itself.

2. The freedom granted in "is not bound" must not be understood as license to dissolve one's marriage, but as the painful recognition that what God has joined together has in fact been broken by man. This counsel applies chiefly to those who are seeking to remarry after suffering

(though not initiating) the dissolution of their marriages, not to those seeking to justify their own efforts to dissolve the marital bond.

3. Nor must "is not bound" be equated with the pronouncement of forgiveness, as if to imply that faithfulness to the marital commitment absolves one from all sin associated with the tragedy of marital break-up.

4. The apostle's words "is not bound" grant a freedom which may be exercised, not a liberty which must be grasped. Hence, the freedom to secure a legal divorce need not be exercised; efforts to reconcile may continue or the decision to remain in the marriage may be made.

5. The believer must be exhorted never to initiate the breaking of the marital bond, though ordinarily there should be no objection to the legal recognition of a marriage already broken by another who has completely withdrawn consent.

6. It must be remembered that Paul did not write 1 Cor. 7:10-16 in order to provide a way for the Corinthians to be relieved of their marital commitments with a clear conscience. Therefore, "is not bound" must not be extended to make of a concession to human sinfulness a moral justification for divorce.

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